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Ontario. Office of the Ombudsman
Equal Times: Ombudsman/Ontario/Newsletter

EQUAL TIMES

OMBUDSMAN/ONTARIO NEWSLETTER

Volume I, September 84

Government
Publications



Photo - Murray Mosher

Introducing The Ombudsman

Dr. Daniel G. Hill has had a distinguished record of service in the academic community, in voluntary organizations and the public service.

He was the first Director and a former Chairman of the Ontario Human Rights Commission, and more recently, a private consultant in the areas of human rights and inter-group relations.

Dr. Hill, who received his Ph.D in sociology at the University of Toronto, has written numerous articles and books on both human rights and black history in Canada. His recent publication, "The Freedom Seekers, Blacks in Early Canada," has been approved by the Ontario Ministry of Education for use as a history textbook in schools.

Since taking Office on March 21, 1984, Dr. Hill has been accorded the following Honours: "Award of Merit" March 6, 1984. This award is presented by the City of Toronto on "Civic Honours Day" and acknowledges contributions of individuals. On March 24, 1984, The Ontario Black History Society paid tribute to its Founder and first President, Dr. Hill, at the Sheraton Centre in Toronto.

(Left) Ontario Ombudsman Dr. Daniel Hill and his wife Donna accepting the Canadian Labour Congress award for "Outstanding Service to Humanity" recently in Montreal. Also present, Dr. Hill's son, Dan Hill, and Dennis McDermott, President of the C.L.C.

Ombudsman Expands Services

A New Look at Northern Ontario

It is a fact that Northern Ontario, representing less than 10% of the province's total population, generated 15% of the complaints to the Ombudsman in the last year.

Dr. Hill has made a commitment to expand services in Northern Ontario, including a re-examination of the needs of the province's native community.

At present, the Ombudsman has Regional Offices in Ottawa, North Bay and Thunder Bay. On October 4th a District Office will be opened in Kenora. In November another Office will be opened in Timmins.

Additional staff for these offices are being recruited from the north with an emphasis on people fluent in French, Cree and Ojibway.

During the summer two native staff members who could communicate in the Oji-Cree language had been hired in our Thunder Bay Office.



Kevin White (left), newly appointed to man our Kenora District Office.

The Ombudsman has special obligations to the Francophone community and every attempt will be made to recruit bilingual officers.

To reach the many other ethno-cultural groups Dr. Hill intends to hold public meetings in different sectors, in conjunction with other community initiatives.

But in our north the distances are vast. To reach all our population segments and provide effective service, the Ombudsman must rely on cooperative and knowledgeable government officials.

Dr. Hill intends to tap into the existing network of government services in the north to ensure that local needs are equally accommodated.

What We Do

Our function is to investigate and resolve complaints against the Provincial Government.

It is an enormous job. There are more than 400 governmental organizations (Ministries, commissions, boards and agencies) and about 70,000 civil servants.

To get it done we have a staff of 122 people — experienced investigators, researchers, lawyers and support personnel and a budget of just over 5 million dollars.

Since 1975, when The Ombudsman Act was passed by the Legislature, our Office has handled over 100,000 complaints and information requests.

We act independently of the government and are accountable directly to the Legislature.

We have broad powers to investigate actions, decisions, procedures and practices of provincial authorities.

Our work encompasses a wide range of provincial concerns, such as health, social services, human right issues and many others.

We cannot deal with federal matters (such as postal service or Unemployment Insurance cheques) or municipal government concerns (such as garbage collection or by-law enforcement). Also, we cannot take up cases against private individuals or companies.

(Continued over)

What we do (Continued)

Some provincial matters, too, are beyond our powers — courts, judges, Cabinet decisions, and actions taken by the government's legal advisors.

No one is turned away from our Office. We respond to every inquiry and our referral system is constantly updated and enlarged.

When we receive a complaint that we do have the power to investigate, our professional staff assembles all relevant facts, considers appropriate laws and regulations and prepares a report for the Ombudsman's consideration.

The Ombudsman may then recommend that the government agency change a decision, procedure, regulation or practice.

It is up to the agency to make the recommended changes.

If the Ombudsman's recommendation is denied he may refer the matter to the Premier and ultimately to the Legislature through an all-party committee known as the Select Committee on the Ombudsman.

If the Ombudsman concludes that the complaint was not justified he will explain the reasons for his opinion.

Bill of Administrative Rights proposed by Ombudsman

The Ombudsman believes that the ideal of fair and equal treatment is one that is shared by both our citizens and our public servants.

In his first Annual Report as Ombudsman, Dr. Hill outlined his concept of a 'Bill of Administrative Rights', rights every person should enjoy in his dealings with the government. These include:

1. Respect for individual rights and personal dignity.
2. Prompt and clear responses to all requests for information or action.
3. Decisions that are arrived at without undue delay.
4. Decisions which are based only on relevant considerations, and on all relevant considerations.
5. Clear statements of the reasons for all decisions.
6. Clear and adequate notice of pending decisions.
7. A reasonable opportunity to be informed of relevant facts and law upon which decisions are based.
8. The opportunity to respond at any point in the decision-making process with additional relevant information.
9. Clear information about rights of appeal against any decision and reasonable assistance in pursuing appeal procedures.
10. Clear information with respect to government policies and actions, presented in a manner understandable to all those affected.

Such considerations give the public and the public service an idea of what rights should bind the relationship between the citizen and the government. If these considerations were adhered to, fewer complaints would come to the the Ombudsman's attention.

Dr. Hill's Bill emerges from a growing sophistication in the Ombudsman movement. A prototype appears in the 'Administrative Justice Code' proposed by the British Columbia Ombudsman, Dr. Karl Friedmann.

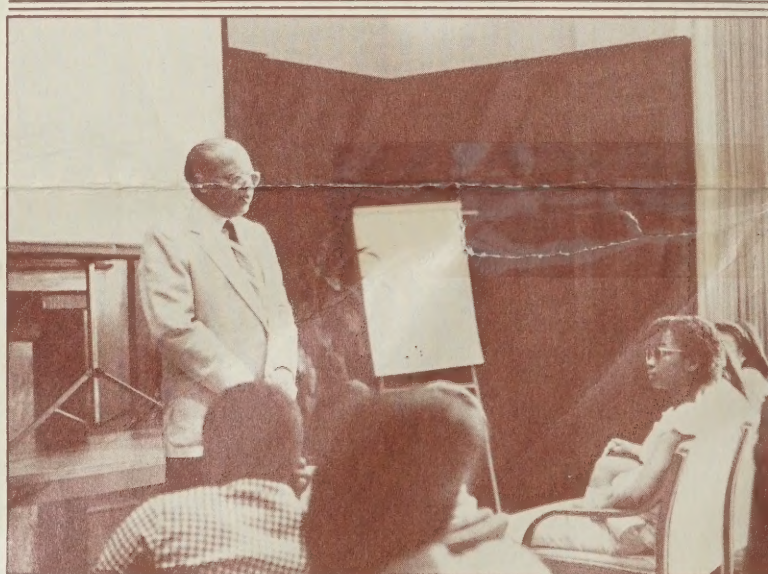
Helpful Hints For Family Benefits

● If you are applying for Family Benefits because of a disability, be sure to ask your doctor to send in very complete medical reports. It is your responsibility to see that the Ministry is fully informed about your medical condition. Proper documentation in the first place avoids unnecessary appeals.

● If you are appealing a Family Benefits decision to the Social Assistance Review Board, remember to bring all of your documents (especially medical) to the hearing. The Review Board does not have access to your Family Benefits file. It's up to you to prove your case to the Review Board.

● If you are a Family Benefits recipient, be sure to inform your field worker of changes in your circumstances (especially financial). This will help to avoid overpayments and unnecessary cancellations of your allowance.

The "Rights" Stuff



Dr. Hill explains the role and function of the Ombudsman to a class of students from Windfield Junior High School visiting our Toronto

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The Office of the Ombudsman of Ontario
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Ombudsman's Remarks

Ombudsman is not yet a household word. It should be — because the Ombudsman exists to right wrongs and to ensure that justice is satisfied.

The Ombudsman safeguards rights by defending the individual against abuses of executive power and by defending civil servants against wrongful charges.

Although I have not long been Ombudsman I can already see the role of Ombudsman as more than simply a dragnet for citizens' complaints. Rather it is an integral support in the structure of our previous human rights' endeavours — one that goes back from the Magna Carta to our most recent Charter of Rights and Freedoms.

A landmark event in the process was the United Nations Universal Declaration of Human Rights.

The Universal Declaration, composed of 30 articles, sets forth not only a list of traditional civil and political rights, but also rights in the social, economic and cultural field, such as the right to work and to protection against unemployment, the right to rest and to leisure, the right to an adequate standard of living, including food, clothing, housing and medical care.

The Universal Declaration is based upon the proposition that all human rights are indivisible and interdependent. Beyond the recognition of the traditional civil and political rights, it demands that governments initiate positive action aimed at alleviating somewhat the plight of the underprivileged.

Article 21 for example, includes the right of equal access to public service. The staffing policies for my office will reflect this right. They will reflect our new Ontario — multicultural, multilingual, multiracial.

Part of the Ombudsman's job is to set standards aimed at enhancing the protection of the individual in his dealing with government authorities.

Thus it is consistent with my function to implement and support the developing international standards of human rights such as those of the United Nations Universal Declaration, of which Canada is a signatory.

Take for example the first case that is published in my Annual Report. That case illustrates how the Ombudsman can play a conciliatory role to protect what I believe to be a human right — the right to equal treatment by provincial authorities.

This case involved three complainants who were patients at a provincial psychiatric hospital. They were denied admission to a Community College in the area because of their status, in spite of the fact that they had been allowed to continue their education in the community by the Advisory Review Board.

They were advised by the Community College that their applications would be considered only if information from their records at the hospital concerning their offences and medical history was made available to the College.

(Continued Page 4)

Red Tape

How to cut through it Yourself

One hundred and fifty years ago government documents in England were bound in red coloured tape. Charles Dickens turned "Red Tape" into an expression representing cumbersome bureaucracy. Today the phrase "Red Tape" has become infamous, bringing to mind images familiar to us all — long lines, complicated forms, confusing instructions and aggravating delays.

Cutting through red tape has become an art few of us have mastered. As government grows, new procedures and increased paperwork may appear to be converting the simple into the complicated. Our challenge is finding ways to make the complicated simpler.

Here are some tips:

DO'S:

- * **Prepare yourself:** avoid embarrassment and frustration of memory lapses by writing down your questions before you seek help. Remember, you always get more information by asking questions.
- * **Identify yourself and your problem:** First things first. They can't help you if they don't know who you are and what you want.
- * **Take notes:** Make sure you always get the name of the individual that you are speaking with. Don't be afraid to ask them to spell names and repeat themselves when necessary.
- * **Keep all correspondence:** By doing this you can always refer back to that piece of correspondence. Another suggestion would be to consider sending any of your correspondence by "Registered Mail".
- * **Be polite:** Nice guys finish first in the battle against red tape. "Good morning", depending on the time of day, may be your best lead while "Thank you for your help" is a time-tested favourite.

DONT'S:

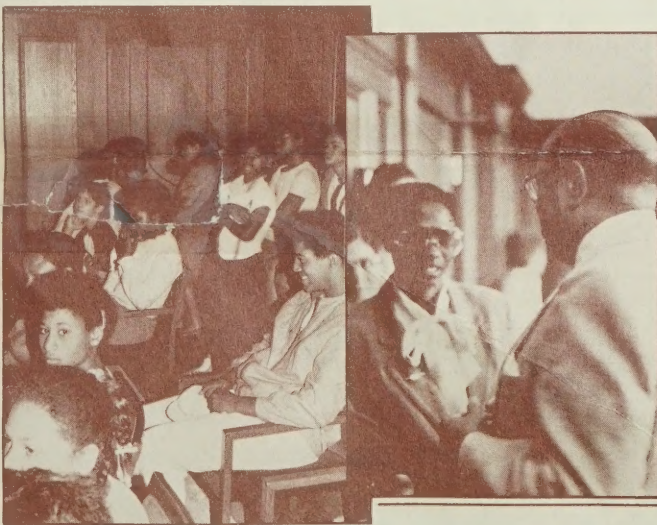
- * **Don't be afraid to call:** Time won't heal your problem and in some cases putting it off may complicate matters. So call now!
- * **Don't call when you're angry:** Pause long enough to be calm, clear and rational.
- * **Don't give up:** Don't take a flat "No" for an answer. You have a right to be given reasons for actions and decisions, preferably in writing if the matter is important.
- * **Don't let your rights for review and appeal go by:** If you are unhappy with a decision, find out if you can have it reviewed or if there is an appeal procedure. But do it quickly. There are often time limits. If there is no appeal available take your case to the decision-maker's supervisor.

WHEN ALL ELSE FAILS, CALL US; WE MAY BE ABLE TO HELP.

Tell Us What You Think

This is the First Edition of Equal Times and we are interested in your opinions and comments. Please write to:

Equal Times
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Toronto, Ontario
M5S 2C7



How To Contact The Ombudsman



Write, telephone, or visit:
(collect calls accepted)
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
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Regional Offices:

Suite 701
1265 Arthur St. East
Thunder Bay, Ont.
P7E 6E7
(807) 623-5058

Suite 203
591 Main St. East
North Bay, Ont.
P1B 1B7
(705) 476-5800

Suite 702
151 Slater St.
Ottawa, Ont.
K1P 5H3
(613) 234-6421

District Offices -
to open shortly in
Kenora
Timmins

Our multilingual staff can communicate in 24 languages, including:

Cree	German	Russian
Croatian	Gujerati	Serbian
Czech	Hindi	Slovak
Dutch	Italian	Slovenian
Estonian	Macedonian	Spanish
English	Ojibway	Turkish
Filipino	Polish	Ukrainian
French	Portuguese	Yiddish

If you are an inmate or patient in a provincial institution the law provides that your letters to and from the Ombudsman must not be opened by the authorities.

Free-for-All

The following services are free to any person who asks. We will try to publish a few of these items every issue. If you know of others, please let us know and we will print them.

Dial-A-Law:

A free legal advice clinic offered by the Law Society of Upper Canada consists of 75 tapes of 5 minutes in length dealing with a variety of legal matters; landlord and tenants' rights, family law, immigration, wills, criminal law, etc. Service available 9 a.m. - 5 p.m. Monday to Friday, telephone: Toronto, 947-3333. Outside Toronto: 1-800-387-2920.

Lawyer Referral Service:

Inexpensive and in some cases free legal advice is available at your nearest community law office or legal clinic. There are 44 legal clinics across Ontario. (Consult the legal aid listing in your local yellow pages.) The Legal Aid Plan is administered by the Law Society of Upper Canada.

The lawyer referral service can arrange for you to speak to a lawyer for \$20.00 for up to the first 1/2 hour of consultation.

Call (416) 947-3330 or
1-800-268-8326. In area code (807) ask for Zenith 58600.

Complaints regarding legal service should be directed to the complaints division of the Law Society of Upper Canada (416) 947-3310.

Metro Toronto low income senior citizens (over 60 years) should consult The Advocacy Centre for the Elderly at (416) 487-7157.

Ontario Inter-City Guide to Public Transportation:

This service offers a guide to all of the transportation routes in all the major cities and towns and many of the smaller communities. Simply write to the Ministry of Transportation and Communications, Map Office, 1201 Wilson Avenue, Downsview, Ontario, M3M 1J8.

'Consumers Start Young':

An educational story book for children which can be acquired by writing to the Ministry of Consumer and Commercial Relations, Main Floor, 555 Yonge Street, Toronto, Ontario, M7A 2H6.

'Explorations Kit':

Offered by the Commissioner of Official Languages. An excellent educational package including an interesting board game, a language map of the world, and a language file. Simply telephone, collect, 1-705-675-0656.

Renseignements - Ontario

Pour tout renseignement en francais ayant trait au gouvernement de l'Ontario, composez 1-800-268-7507. (Les r sidents du nord-ouest, code r gional 807, doivent appeler   frais vir s, 1-416-965-3865).

(Continued from Page 3)

But they contended that their applications should be considered on the same basis as any other applicant.

The Ombudsman agreed with their position and after several meetings were held with the officials of the College, the College agreed to process their applications without requiring the release of medical information.

In my view, this is what the Ombudsman is all about — to investigate, to mediate, to achieve equity by resolving complaints.

Within our human family there must be accessible channels of communication. After all, grievances can not be settled if the aggrieved are unaware of available assistance.

Therefore, to broaden our base of contact, I have initiated a public education program. Since public funds pay for this Office, it is my obligation to ensure that everyone in the province is aware of the Ombudsman, regardless of their location, disability or language barrier.

This Newsletter is one such program. Eventually I hope to reach every segment of Ontario's population through various means and inform them of our role and function.

I welcome hearing from you. I welcome your comments and your views. Our lines of communication are always open.

New Appointments

(Right) Eleanor Meslin to the position of Executive Director. Eleanor is a lawyer and a senior management professional with a life-long involvement in human rights and community activities. As second-in-command to the Ombudsman, she is the first woman to occupy this position.



(Left) Sharon Chambers to the newly created position of Manager of Administration. Sharon was formerly Office Manager at the Ontario Labour Relations Board.

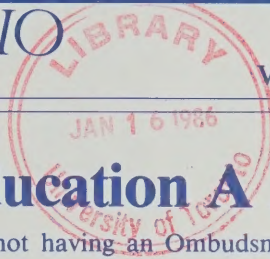
EQUAL TIMES

OMBUDSMAN/ONTARIO
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Public Education A Priority

"Worse than not having an Ombudsman is to have one and nobody knows about it." - Dr. Daniel G. Hill, Ombudsman of Ontario.

Dr. Hill has set a high priority on making his Office better known and more accessible to the citizens of this province. People are entitled to know their rights. The Ombudsman believes that the right to complain, the right to be heard, the right to have corrective action taken when one has suffered harm from government, are human rights.

The United Nations Universal Declaration of Human Rights states that every person should have equal access to the public service of his or her country (Sec. 21). In this spirit the Ombudsman has launched a number of public education initiatives. This Newsletter is one of them.

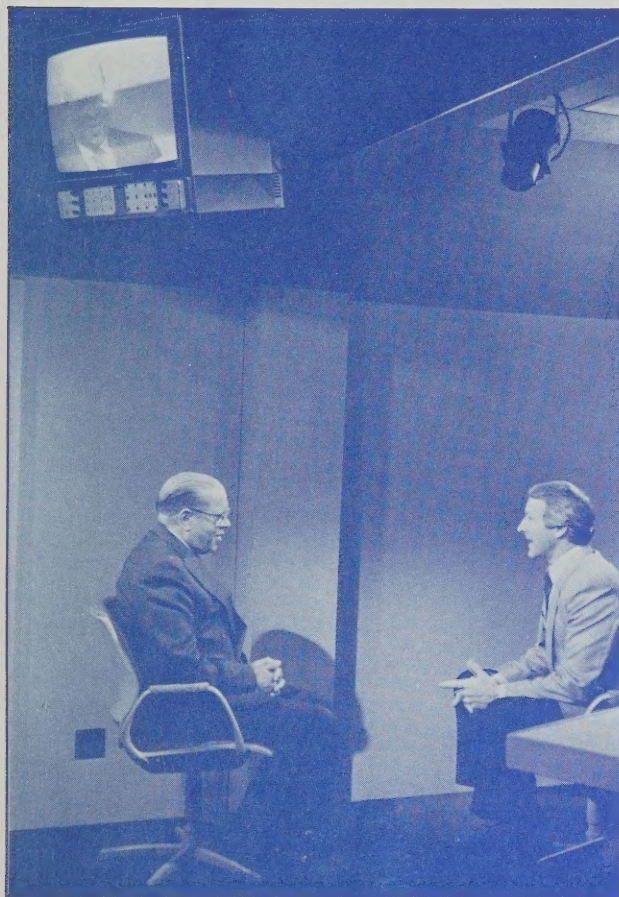
A Communications and Public Education group within this Office has been created to co-ordinate and deliver public education programs. These have included the publication of a bilingual Annual Report, a bilingual pamphlet entitled "*The Ombudsman of Ontario, At Your Service*," multi-lingual fact sheets in Italian, Greek, Portuguese, Spanish, Vietnamese, Finnish, Polish, Croatian, Serbian and Hindi, among others. Also, audio-visual materials will soon be available.

To make our Office more accessible, we have started a 24-hour answering service at our Toronto location and two new District Offices are now open in Timmins and Kenora. Also, we have put into service a mobile information-display unit where a staff member is available to distribute information and receive complaints. Launched successfully at City Hall in Toronto, this unit will be moved throughout various locations in Ontario.

Public meetings on the role and function of the Ombudsman, organized with local community and voluntary groups in locations where we do not have Offices is another ongoing program.

We also make as much use as possible of the media. This includes public service radio announcements, participating in "open-line" talk shows and community cable TV programs as well as soliciting media coverage via interviews and press releases.

(continued page 2)



Dr. Hill (left) explains role and function of the Ombudsman to David Compton, host, CBC-TV Windsor.



Ombudsman's information-display unit at Toronto City Hall is officially opened by Mayor Arthur Eggleton with Dr. Hill (above right). Sylvia Searle, Race Relations Development Officer, Metro Toronto; Katy Malouf, Ombudsman staff member, and Rosanna Scotti, Metro's Director of Multicultural and Race Relations, attend (left photo).





Media interviews are one way to reach the public. (Top) Dr. Hill and Eleanor Meslin, our Executive Director, announce opening of our new District Office on CFTI-FM in Timmins. (Above) Dr. Hill and Gilles Morin, Director, Regional Services, invite CKCY AM-FM listeners to attend public meeting in Sault Ste. Marie.

About Our Logo

The logo of the Office of the Ombudsman of Ontario is a Gryphon suspended over four representations of the floral emblem of Ontario ... "The Trillium."

The Gryphon, often symbolic of the law, comes to us from ancient mythology. Part lion and part eagle, the Gryphon signifies strength and swiftness. In modern symbolism the Gryphon often represents a guardian of rights.

The four Trilliums represent the multi-cultural history of Ontario:

- One Trillium for our Native People,
- One Trillium for people of French origin,
- One Trillium for people of Anglo-Saxon origin,
- One Trillium for people of all our other cultures.

And thus, the logo of the Ombudsman represents protection of the rights and cultural integrity of all our people.

Public Education (continued)

It is our policy to accept, whenever possible, all requests for speaking engagements and invitations to attend a community function. Likewise we welcome any group to tour our facilities.

In the last year alone we have reached an estimated 400,000 people. We have done this with no increase to our budget. For the future we are hopeful that the Legislature will approve a proposed amendment to our empowering legislation, *The Ombudsman Act*, an amendment that would specify that public education is a function of the Ombudsman. If this is successful, we are confident that we can make our services known to every resident of this province.

The Ombudsman – Your Last Resort

It's best to think of the Ombudsman as a last resort — the person who tries to help you after all other approaches have failed. With any complaint against the Ontario government, your first step should be to go right to the person or group involved — the ministry, commission, board or whatever. If that doesn't produce a satisfactory result, take your complaint to the head of the organization.

If that step also fails, see whether your MPP can help you. (That's part of his or her job as your elected representative.)

Also, for some situations (land severance, certain tax matters, for instance, or racial discrimination) there are special boards, systems or procedures set up especially to enable people to appeal against or object to actions they believe are wrong.

You should try all these steps and stages before approaching the Ombudsman. Only when you have tried all statutory avenues for complaint, appeal or objection, or only when the stipulated time for appeals and objections has run out, can the Ombudsman investigate your complaint.

No one is turned away from the Ombudsman's Office. Every inquiry is responded to and a professional referral system is used and is constantly updated and enlarged.

(Below) Milan Then, Director of Communications and Public Education, discusses Ombudsman's role with host Joyce Mercer, Cablenet Burlington.



Supreme Court Upholds Ombudsman

In 1983, the Ombudsman of Ontario intervened in an appeal by the Ombudsman of British Columbia and made representations before the Supreme Court of Canada.

The Ombudsman of B.C. had decided to investigate a complaint against the B.C. Development Corporation. The Corporation took the view that the Ombudsman could not investigate its decision to refuse to renew a lease of one of its tenants. The Court of Appeal of B.C. decided that the Ombudsman did have the authority to investigate this decision and the B.C. Development Corporation appealed to the Supreme Court of Canada.

At issue was the meaning to be given to the term "matter of administration". Our Office took the position that the decision of the B.C. Development Corporation to refuse to renew its tenant's lease was a matter of administration, or in the terms of the Ontario Ombudsman Act, "a decision made in the course of the administration" of a governmental organization.

In addition, the issue of whether the term "person" used in both the *B.C. Ombudsman Act* and in the *Ontario Ombudsman Act* excludes a Corporation was argued. Our counsel argued that a person does include an incorporated body.

The issues involved in this matter were of such vital significance to all the provincial Ombudsmen that the Ombudsmen of Saskatchewan and Quebec also joined Ontario to intervene on the side of the B.C. Ombudsman.

Our combined efforts were vindicated and on November 23, 1984, the Supreme Court of Canada rendered a unanimous decision in favour of the Ombudsman of British Columbia.

The Select Committee on the Ombudsman

What happens when the Ombudsman decides to support a complaint but the government agency remains unwilling to carry out his recommendation?

This is where the Select Committee on the Ombudsman enters the picture.

Created to serve as a liaison between the Ombudsman and the Assembly, the Select Committee is made up of 12 members of all political parties, roughly in the same proportion as they are represented in the House.

The Ombudsman includes in his annual report "recommendation-denied" complaints, cases where the government agency refuses to implement the Ombudsman's recommendations. When the Select Committee meets to consider the annual report, these cases are thoroughly reviewed. For each case considered, the Select Committee vigorously questions both government officials and Ombudsman staff to determine whether their assessment of the complaint and the actions they have taken are well documented, and fair and reasonable. The Select Committee then reports its findings to the Assembly where the matter is voted on and thereby finalized as a resolution of the Assembly.

The Select Committee supports a majority of the Ombudsman's recommendations. With only one exception, the



Reaching the public is not always easy. (Top) Dr. Hill gets his feet wet as Ombudsman, arriving at the Anicinabe Wilderness Work Camp, a residential alternative to incarceration for Native offenders near Kenora. (Centre) Dr. Hill is welcomed by members of the Ne-Chee Friendship Centre who operate and staff the camp. (Above) Residents build their own facilities such as the log cabin shown behind Nicholas Leluk, Minister of Correctional Services, Joe Seymour (centre), Executive Director of the Centre, and Dr. Hill.

(continued page 6)

Feedback... Citizens' Comments

... I appreciate your first issue of Equal Times. A young man had just been in my office concerning a Family Benefits appeal when your new publication arrived with some answers I needed. Thanks, too, for the "Free-for-All" column.

D.S.
Stratford, Ontario

... I was wondering about your winged logo. Is it a gargoyle or perhaps a phoenix?

D.D.
Brampton, Ontario

Neither. It is a gryphon. Your letter prompted us to include an article about our logo.—ED.

... Dear people of Equal Times:

I think that the existence itself of the Ombudsman keeps the potential red tape away. And I hope that the power of the Ombudsman never decreases, but grows and perfectionates itself.

S.F.
Hamilton, Ontario

P.S. I would like to tell something else but I don't know enough English grammar to express myself properly, because I am a newcomer.

Dear Newcomer: We think you communicate very well and we would like to hear more from you. But if it will help, let us provide an interpreter in your language.—ED.

... Nous espérons qu'au futur, nous aurons l'occasion de lire ce bulletin en français ainsi qu'en anglais.

B.C.
Brockville, Ontario

Soyez assuré que nous ferons de mieux de publier des numéros bilingues. Dans l'entre-temps nous avons des renseignements en français ayant trait au rôle et à la fonction de l'Ombudsman qui seront mis à la disposition de tous les lecteurs intéressés.—ED.

... the term ombudsman I find offensive. Better still, ombuds-person.

W.C.
Windsor, Ontario

We would not wish to offend the people of Sweden who gave us the word and the institution.—ED.

... Could you tell me more about how the Ombudsman works and where the Select Committee fits in? Also, I think you should have more case examples.

T.M.
Toronto, Ontario

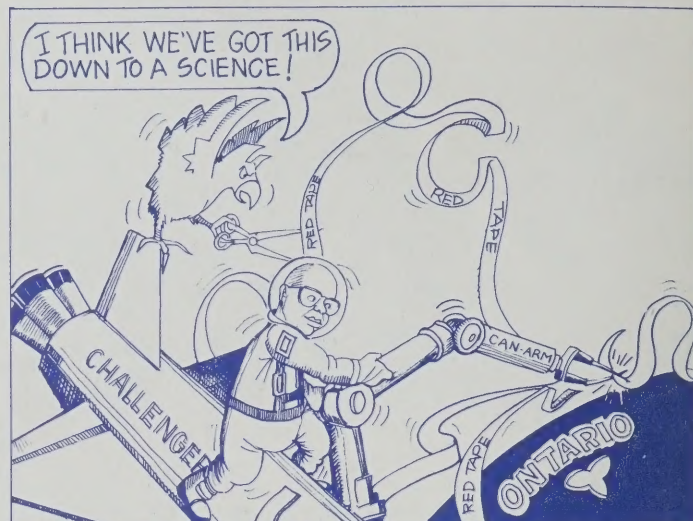
We agree. In fact, every article in this issue is in response to requests from our readers.—ED.

... I think you people are dreaming if you believe you can improve government services to the public by occasionally stepping on the toes of a sloppy bureaucrat.

C.P.
Ottawa, Ontario

Having our feet on the ground and our head in the clouds is one charge to which we gladly plead guilty.—ED.

The "Rights" Stuff



K. WAIN '85



Timmins District Office officially opens. Attending the ribbon-cutting ceremony on January 15, 1985, with Dr. Hill is from left, Gilles Morin, Director of Regional Services; Eleanor Meslin, Executive Director; Mayor Vic Power and Mary Lou Iahtail, District Officer.

(Below) Mary Lou greets the Ombudsman on his arrival at the Timmins Office. Mary Lou brings a wealth of experience in



health, education, social work and justice administration to her new responsibilities. A former teacher, nurse, Justice of the Peace, part-time probation officer, and translator for English, French and Native languages, Mary Lou is presently working toward a degree in Education and Law at Laurentian University.

Ombudsman's Remarks

We have reached a milestone. A decade has passed since the Office of the Ombudsman was created in this province. As we mark our tenth anniversary of service to the people of Ontario, we have reason to celebrate. Much has been accomplished.

Since 1975, we have responded to over 100,000 requests for information and assistance. Some of our recommendations to provincial government agencies have had far-reaching effects. Our efforts have led to the compensation — financial or otherwise — of thousands of citizens. Our scrutiny has compelled many ministries to clarify or revise policies. On many occasions, statutes containing unfair provisions have been amended as a result of our recommendations. Most of all, our very existence has assured citizens of this province that they have an effective, independent and impartial agent at their disposal to investigate complaints against their government.

I share the belief that the right to be heard, the right to complain, the right to have corrective action taken when one has suffered harm from government are human rights.

The need for a check on the sweeping powers of government is as old as government itself. The Romans, as long ago as 200 B.C., established a Tribune — an official appointed to protect the interests of the plebians from the patricians. The dynastic Chinese had the Control Yuan, an official who supervised other officials and heard complaints about maladministration. And, in the 19th century, Sweden developed the Ombudsman concept, which has since been embraced by many provinces, states and countries around the world.

Today, more than ever, the government administers a vast array of services — and the long arm of government affects almost every aspect of citizens' lives. Injustices in-

variably occur. When they do, our citizens need not feel that the cost of justice is too high. Service is our mandate.

However, our mandate extends only to matters of a *provincial* nature. Many times, we have been frustrated in our attempt to help citizens because the matter in dispute concerns a federal ministry, board or tribunal. There is no federal Ombudsman.

The need for a federal Ombudsman is urgent. The federal government has jurisdiction over numerous and crucial concerns — income tax disputes, unemployment benefits, pensions and immigration matters — to name only a few. Unlike the citizen who feels unfairly treated by the provincial government, the citizen with a complaint against the federal government often has no recourse.

Another important consideration pointing to the need for a federal Ombudsman is the fact that the majority of issues affecting aboriginal people are outside the jurisdiction of a provincial Ombudsman. I need not recite the litany of past and present injustices done to our native people — almost every Canadian is aware of them. A federal Ombudsman would go a long way in ensuring that the rights of our First Peoples are better protected.

I am convinced that *every* citizen of Canada would benefit from the creation of a federal Ombudsman.

Therefore, I call on all citizens to join me in urging the creation of a federal Ombudsman. We can only take pride in our strides towards a just society if no one is left behind.

DANIEL G. HILL

New Appointments

Left: Allan "Sonny" Pelletier as Native Programs Officer. Graduate of Labour College of Canada, University of Montreal, Mr. Pelletier has held various elected appointments with native organizations for 14 years, including President of Nickel Belt Indian Club of Sudbury and Secretary-Treasurer of the Ontario Metis and Non-Status Indian Association. Mr. Pelletier is responsible for the Ombudsman's outreach initiative to encourage native people to utilize our services. This program aims to give all aboriginals an equal opportunity to access our office by consulting with provincial aboriginal leaders — Status, Non-Status, Metis and Inuit.

Right: Fred Thomas to staff our new District Office in Kenora which opens officially on April 1, 1985. Fluent in Oji-Cree, Fred is a former Native Health Services Worker and was a summer student at our Thunder Bay Office. He holds a Native Community Worker Certificate from Confederation College, Thunder Bay.



Helpful Hints . . . The Workers' Compensation Board Process

First — The Accident

Immediately after an accident:

1. The injured worker should notify the employer.
2. Both the injured worker and the employer should submit forms to the Workers' Compensation Board.
3. If medical attention is required, the doctor should also send notification to the Board.

Then — The Appeal Procedure

If the Board's decision is not in the worker's favour:

1. The decision will automatically be referred to the first step in the Board's Appeal Procedure — the Review Branch.
2. If this fails to satisfy the injured worker, he or she can appeal that decision by writing to the Registrar of Appeals, 2 Bloor Street East, Toronto, M4W 1A7. The appeal will be heard by an Appeals Adjudicator.
3. The last step, if the injured worker is still dissatisfied, is to take the case to an Appeal Board Panel which consists of three members of the Board.

In steps 2 and 3 of the appeal procedure, a representative, such as an MPP, a Worker's Advisor appointed by the Board, a worker's union representative, may assist in presenting the case. Their services are free of charge and definitely recommended.

Finally — The Ombudsman

When this appeal procedure is exhausted and the worker is still dissatisfied, the Ombudsman can investigate the case.

If the Board Has Made an Overpayment:

1. The method by which the worker pays back the Board is to be agreed upon by the worker and the Claims Adjudication representative and should take into account the worker's financial situation to minimize hardship.
2. The overpayment may be paid back in full, by reasonable installments, or by deductions from further benefits to be paid in the same claim.
3. If the overpayment exceeds \$1,000, a personal visit by a Board employee is required to negotiate the repayment.
4. If the overpayment exceeds \$300, contact may be made

by phone or in person and the Board must send a letter explaining the cause and details of the overpayment and the repayment options.

5. If there is a dispute, objection or appeal in connection with an overpayment, repayment should be suspended until the matter is settled.

A Case Study

The Workers' Compensation Board processes over 400,000 claims a year. Only a very small fraction comes to our attention. Some of the complaints that we do receive involve Board policy.

For example, it is the Board's policy that an "accident" may also be a work-related disablement (according to Section 1(1) (a) (iii) of *The Workers' Compensation Act*).

The following case study shows how the Ombudsman can be useful in getting government agencies to apply their own policies.

A complainant had been working for the employer for five years when he began to complain of pain in his low back. He continued to work for an additional five years before surgery was necessary. The first surgery was a failure and had to be repeated and, consequently, the man was off work for two years. Although the orthopaedic specialist related the disability to the man's work, entitlement was denied by the Board, "...due to the lack of continuity of symptoms, treatment and complaints and the fact that no accident was ever reported to the company...". After a number of meetings between members of the Workers' Compensation Board and the Ombudsman's Office, a possible recommendation was sent to the Board that it should reconsider its decision and grant the complainant entitlement to benefits of a work-related back disability. Subsequently, a formal recommendation was sent to the Board and later a copy was sent to the complainant and to the Premier. The Board eventually agreed with our recommendation and granted temporary benefits to the complainant. Then the Board examined him for entitlement to a permanent disability pension. He was granted a 30% permanent disability pension as well as a permanent monthly pension.

We have noticed that the Board is now applying its policy, that an "accident" may also be a work-related disability, more consistently.



The Select Committee (continued)

Assembly has agreed with the assessment of the Select Committee, to support the Ombudsman and, in this manner, many of the Ombudsman's recommendations, although originally denied by the government agency, have eventually been implemented.

We believe the Select Committee is an indispensable aid to the Ombudsman in the resolution of complaints.

The Ontario Ombudsman Office has an international reputation. Fourteen Japanese assemblymen and local government officials recently visited our office to study our complaint handling system.

Where to Go for Help

Many of the complaints that come to us are outside our power to investigate. However, we try to provide a referral for every problem. Here are some of them:

Problems with employers: dismissal, working hours, benefits, discrimination.

As an employee, you have certain rights. The Ministry of Labour, Employment Standards Branch, 400 University Avenue, Toronto, M7A 1T7 (965-5251) will explain them to you and help if you have problems.

If you feel you are being discriminated against on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status, family status, handicap, record of offences (employment only) and receipt of public assistance (accommodation only), call the Ontario Human Rights Commission (965-6841) which administers and enforces the *Ontario Human Rights Code, 1981*. Same address.

And, if you're female, the Ontario Status of Women Council, 900 Bay Street, 5th Floor, Room 528 (965-1111) evaluates and monitors existing legislation, policies and programs related to the needs and status of women. Also helpful is the Ontario Women's Directorate, Women's Bureau (965-1537), same address, which operates an information and referral service as well as a Resource Centre open to the public and a film-lending library. The Women's Bureau has a northern office at 435 James Street South, Thunder Bay, P7E 6E3 (807-475-1691).

If you are the victim of a crime.

The Criminal Injuries Compensation Board, 439 University Avenue, 17th Floor, Toronto, M5G 1Y8 (416-965-4755), provides compensation to eligible applicants when a person is injured or killed in Ontario as the result of an unprovoked act of criminal violence.

Problems with medical practitioners.

If you have a complaint against a doctor, you can appeal to the Complaints Department, College of Physicians and Surgeons, 80 College Street, Toronto, M5G 2E2 (961-1711). The College is obliged to investigate all written complaints from patients, discuss the problem with the doctor and complainant and then hold a hearing if it's not resolved.

The same applies to dentists and the Royal College of Dental Surgeons of Ontario, 230 St. George Street, Toronto, M5R 2N5 (416-961-6555) will handle all written complaints.

In either case, if you are still dissatisfied, you can appeal to the Health Disciplines Board, Ministry of Health, Hepburn Block, Room 1175, Queen's Park, Toronto, M7A 1R3 (416-965-7285). The Board is made up of laypersons and must be contacted within 20 days of a decision from one of the Colleges. As a court of last resort, we can investigate how the Board handled the complaint.

Dr. Hill and Eleanor Meslin (to his right) discuss the services of the Ombudsman with the staff of the Timmins Native Friendship Centre.

A complaint about a lawyer.

The Law Society of Upper Canada, Osgoode Hall, 130 Queen Street West, Toronto, M5H 2N3 is the regulatory body for lawyers and has a complaints department (416-947-3310). Written complaints are forwarded to the lawyer involved and if the response is not satisfactory it is dealt with by the complaint review commissioner.

If you are questioning a lawyer's fee, you call the assessment officer at 416-965-4500.

Consumer complaints.

For problems involving unethical conduct, contractual disputes, real estate and mortgage deals, car deals and misrepresentation write to Consumer Advisory Services, Ministry of Consumer and Commercial Relations, 8th Floor, 555 Yonge Street, Toronto, M7A 1H6 (416-963-0321). This agency has the power to conduct investigations of your complaint. The Ombudsman *can* investigate how they handled your complaint.

Also helpful is the Consumer's Association of Canada, 234 Eglinton Avenue East, Suite 403, Toronto, M4P 1K5 (416-481-6864).

Complaints about rent increases.

The Residential Tenancy Commission, Rent Review, 10th Floor, 77 Bloor Street West, Toronto, M5S 1M2 (416-963-2742) administers Ontario's Residential Tenancies Act which limits the amount and frequency of rent increases in certain accommodation. One increase per year, regardless of amount, is permitted, to a maximum of 6 per cent unless the landlord/landlady has obtained approval from the Commission for a greater increase. Rent Review applies to rental houses, apartments, townhouses, rooming houses, mobile homes and sites. Be aware certain non-profit or government-owned rental housing, new units not rented prior to January 1, 1976, and units where the rent is \$750 or more per month, are exempt from Rent Review. Offices located throughout Ontario. If local office is long distance, call operator and ask for Zenith 96000 for toll-free call. The Ombudsman *can* investigate how they handled your complaint.



How to Contact the Ombudsman



Write, telephone, or visit:
(collect calls accepted)
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
M5S 2C7
(416) 596-3300 (24 hours)

Regional Offices:

Suite 701
1265 Arthur Street East
Thunder Bay, Ontario
P7E 6E7
(807) 623-5058

Suite 203
591 Main Street East
North Bay, Ontario
P1B 1B7
(705) 476-5800

Suite 702
151 Slater Street
Ottawa, Ontario
K1P 5H3
(613) 234-6421

81 Balsam Street South
Timmins, Ontario
P4N 2C9
(705) 268-2161

223 First Street South
Kenora, Ontario
P9N 1C2
(807) 468-3091

Our multi-lingual staff can communicate in 24 languages, including:

Cree	German	Russian
Croatian	Gujerati	Serbian
Czech	Hindi	Slovak
Dutch	Italian	Slovenian
Estonian	Macedonian	Spanish
English	Ojibway	Turkish
Filipino	Polish	Ukrainian
French	Portuguese	Yiddish

If you are an inmate or patient in a provincial institution, your letters to and from the Ombudsman will not be opened by the authorities.

When Pope John Paul II passed by our Toronto Office, our multi-lingual staff was ready. In Polish the sign reads: "The Ontario Ombudsman sincerely welcomes His Holiness".



Free-For-All

The following services are free to any person who asks. We try to publish a few of these items every issue. If you know of others, please let us know and we will print them.

Translation Services:

The Ministry of Government Services provides a free service for landed immigrants who need official documents translated into English in order to find work or pursue their education and training in Ontario. For all languages other than French, the service is located at Ontario Welcome House, 454 University Avenue, Toronto, M5G 1R6 (965-1458). The French and English Language Service Sections (965-2891) are located at 77 Wellesley Street West, 6th Floor, Ferguson Block, Toronto, M7A 1N3.

Information About Alcohol and Other Drugs:

Call "Dial-A-Fact" – a service made available by the Addiction Research Foundation. Consists of a series of factual telephone messages on a variety of topics related to drug and alcohol use. Each tape is about four to six minutes. In Toronto, just dial 595-6111 and identify the tape you want to hear. Elsewhere in Ontario, call 1-800-387-2916 9:00 a.m. to 9:00 p.m. seven days a week excluding holidays. For a list of topics, ask for the "Dial-A-Fact" brochure at your local Addiction Research Foundation office. Main office at 175 College Street, Toronto, M5T 1P8 (416-595-6000).

Help With Your Income Tax Return:

The Institute of Chartered Accountants of Ontario offers free assistance to *low-income* taxpayers across the province in computing their 1984 income tax returns. In Toronto, call 924-8413. Outside Toronto, call 416-962-1841. Ask for the Director of Information Services for more details.

Government Publications:

Many government publications can be obtained by personal shopping at the Ontario Government Bookstore, 80 Bay Street, Toronto, M7A 1N8 (416-965-2054). For mail order inquiries in Toronto, call 965-6015; from other communities, call toll-free 1-800-268-7540; in area code 807, ask operator for Zenith 67200.

More Information on the Ombudsman:

Our Office tries to accommodate all requests for further information. We have pamphlets, multi-lingual fact sheets and other print materials available; we provide a staff member to speak to groups and for tours of our operation. Just telephone or write to any of our offices.

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We are interested in your comments. Please write to:

Equal Times
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario M5S 2C7

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EQUAL TIMES

OMBUDSMAN/ONTARIO NEWSLETTER

Volume III, November 1985

Ombudsman Upheld By Supreme Court of Ontario

Dr. Daniel G. Hill was pleased with the unanimous decision handed down in September by the Supreme Court of Ontario in the case of *Ombudsman of Ontario v. Ontario Labour Relations Board*. The court ruled that the Ombudsman may investigate decisions made by the Ontario Labour Relations Board.

Granting the Ombudsman the declaration he had sought, the court confirmed that the Ombudsman enjoys a clear statutory right to investigate complaints about administrative matters as well as complaints about the merits of adjudicative decisions made by provincial government ministries, boards and tribunals.

The unanimous ruling by the panel of three supreme court judges resolved a number of issues over which the Ombudsman and the OLRB had previously locked horns, but the major issue was the OLRB's contention that the Ombudsman lacked legal authority to inquire into the merits of the Board's adjudicative rulings.

The Ombudsman's decision to litigate was sparked by the OLRB's refusal to provide information requested during the course of two separate investigations undertaken by the Ombudsman last winter.

At that time, Dr. Hill stated that he believed that the issue of the Ombudsman's right to investigate governmental agencies which exercise quasi-judicial powers had been resolved in a 1979 Court of Appeal decision in the case of *Ombudsman of Ontario v. Health Disciplines Board of Ontario et al.* This recent ruling against the Ontario Labour Relations Board confirms that earlier decision.

Nevertheless, the Ontario Labour Relations Board is seeking leave to appeal the recent decision.

Ombudsman's Recommendation Changes O.H.I.P. Policy

As a result of a recommendation made by the Ombudsman of Ontario, the Ontario Health Insurance Plan (O.H.I.P.) will revise a policy which discriminated against some patients suffering mental and physical illnesses.

Previously, psychiatric patients hospitalized outside the province for necessary treatment unavailable in Ontario were reimbursed at a rate of 75 per cent of the cost of treatment, while physically ill patients in the same situation received 100 per cent reimbursement.

The Ministry of Health indicated, in a recent response to Dr. Hill's recommendation that this discrepancy be abolished, that it will do so. In future, both mentally and physically ill residents of Ontario who require hospitalization elsewhere for

(continued page 2)



(Top) Li'l Beaver Pamela Agawa presents Dr. Hill with a beaded necklace in honour of his visit to the Sault Ste. Marie Indian Freindship Centre. (Photo story page 3).



Gilles Morin, newly elected M.P.P. for Carleton east and former staff member greets Premier David Peterson. (Story page 2).

Gilles Morin

Staff Member Elected M.P.P.

"I've never worked so hard in my life", declares Gilles Morin emphatically. "It's 12 to 18 hours a day, seven days a week". This is not a lament, for it is patently clear that the Liberal Member of the Provincial Parliament from Carleton-East is enjoying his new role immensely.

Initially, it was not a role he was eager to pursue. "I had never seriously thought of going into politics," he maintains. "I was well established at the Office of the Ombudsman; I liked my work there".

Mr. Morin has always been attracted to interesting work. As a youth he began a military career which lasted for ten years. He served in Korea, and earned promotions through the ranks, until he became a Captain and an aide-de-camp to Governors General Massey and Vanier. When he left the military it was to enter the world of finance, a career which would span the next 17 years.

In 1976 the first Ombudsman of Ontario, Arthur Maloney, invited Mr. Morin to become a senior staff member. In 1978, Mr. Morin, a bilingual francophone, became Director of Regional Services, a position which gave him first-hand knowledge of "the people of this province — especially those in the North — and their concerns".

On May 2nd, 1985, Mr. Morin won his seat by a "satisfying" 7,000 votes. What aspect of his background does he credit with aiding him in gaining the confidence of his constituents and in meeting his present challenge? "My military background, my career in business — these were helpful — but I believe my 10 years with the Office of the Ombudsman were the best possible training for being an M.P.P."

Now, instead of investigating complaints against the provincial government, he is a member of the party in power. He insists this has not changed his approach. "I would have no hesitation in pursuing any perceived governmental injustice as vigorously as I did when I was with the Ombudsman. People trusted me before; they trust me now".

Mr. Morin serves as Deputy Chairman of the Committee of the Whole House and on the Standing Committee on Procedural Affairs. Not surprisingly, he is also one of the all-party members of the Standing Committee on the Ombudsman. His long association with the Office of the Ombudsman has fostered in him a profound belief in the concept of Ombudsmanship.

For this reason, one of Mr. Morin's goals is to promote awareness of the Ombudsman's services among his new colleagues. He particularly wants other M.P.P.s to make more use of the Ombudsman's "excellent referral system".

Mr. Morin shares Dr. Hill's belief that an M.P.P. is, in a sense, an "Ombudsman" for his constituents. Both the Ombudsman's and a Member's primary function is to serve the people of Ontario. It is to that service that Gilles Morin hopes to dedicate his new career.

Good luck, Gilles.

O.H.I.P. Policy Change (continued)

approved, necessary treatments unavailable here will be reimbursed for 100 per cent of their medical costs.

The issue was brought to the Ombudsman's attention by a woman whose daughter, a psychiatric patient, was receiving care at a U.S. hospital. The mother lodged a complaint with the Ombudsman after O.H.I.P. advised her that in addition to the 25 per cent of the treatment she was already paying, she was also required to pay a surcharge for her daughter's semi-private accommodation. The Ombudsman's investigation supported her claim that her daughter's accommodation at the U.S. hospital was not semi-private, but equivalent to standard ward accommodation in Ontario.

While the policy of paying 100 per cent of psychiatric patients' out-of-province medical costs will not be retroactive, the Ombudsman's complainant will be reimbursed by O.H.I.P. in the amount of \$11,900 for the semi-private room charge.

Regional News

Dr. Hill's commitment to increase access to the services of the Ombudsman for all Ontario residents has taken another step forward with a further initiative.

In addition to the District Offices created by Dr. Hill in Timmins and Kenora to supplement existing Offices in Ottawa, North Bay and Thunder Bay, a new regionalization plan will be introduced shortly.

The plan provides for a pilot project to place field officers in five communities initially. This experimental project will be introduced early in the new year and will be closely monitored. If successful the project will be expanded to include communities throughout the province.

According to Dr. Hill, "the Ombudsman belongs to every person of this province. To be truly accessible we need a permanent Ombudsman presence in every area where our services are in demand."



(Right) Ombudsman's staff member, Janet Joyal, advises Ontario Place visitors at our travelling display unit.

Three Ombudsman Staff Join New Workers' Compensation Appeal Tribunal

Three of our staff members have been appointed to the new Worker's Compensation Appeal Tribunal.

Laura Bradbury and Niki Catton will become two of five Vice-Chairpersons of the Tribunal, while Zeynep Onen will serve as a Legal Counsel. All three share experience investigating complaints against the Workers' Compensation Board and have served the Office of the Ombudsman in various capacities for periods ranging from three to nine years.

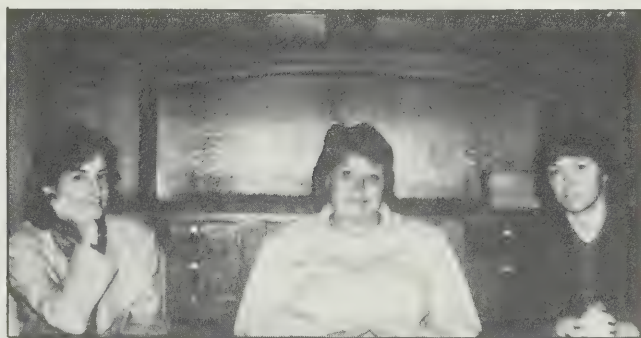
Niki Catton, the employee of longest standing, leaves her present post as Assistant Director of our Workers' Compensation Investigation Directorate with feelings of excitement and regret. She speaks for all three departing colleagues when she says that working for the Ombudsman was a wonderful experience, but that she looks forward to the challenges ahead.

The new Appeal Tribunal, chaired by Mr. R. Ellis, Q.C. is we independent of the Workers' Compensation Board. It will answer directly to the Ministry of Labour.

The Tribunal will be responsible for hearing appeals of decisions made by hearing officers of the Workers' Compensation Board. The Tribunal will also be able to reconsider previous decisions of the Appeal Board of the W.C.B.; if there is substantial new evidence or if Tribunal members have good reason to doubt the correctness of the original decision.

To assist both workers and employers in this process, the Ministry of Labour has recruited a number of advisors who will be available, free of charge, to both employees and employers dissatisfied with a decision of the Board. The advisors will be able to represent complainants before the hearing officers or before the independent Tribunal.

In addition to establishing procedures for the Tribunal, Chairman Ellis is currently developing a roster of doctors independent of the Workers' Compensation Board. Complainants can be referred to these independent specialists for consultation.



(From left) Zeynep Onen, Niki Catton and Laura Bradbury, recently appointed to the new Workers' Compensation Appeal Tribunal.

The Ombudsman has authority to investigate decisions of the Tribunal. Thus, if either an employee or employer is dissatisfied with a decision of the Tribunal, a request may be made to this Office to conduct an investigation.

Re-Organization Underway

Under the direction of Eleanor Meslin, Executive Director, the Office of the Ombudsman has reorganized its office structure to improve efficiency and case handling.

Mrs. Meslin appointed a task force of seven staff members to work with Management Consultant, Marshall Pollock, formerly Assistant Deputy Minister to the Attorney General, to design a structure which would increase speed in case work without sacrificing quality in professional case handling.

The new structure provides for five investigative Teams and one Information and Intake Team. The team organization corresponds to policy fields which were formerly handled by individual investigators. These include: Workers' Compensation, Institutional Investigations, Social Benefits, Land Use, Resources and Revenue, and Justice, Licensing and Labour.

According to Mrs. Meslin, "The investigation process is the central aspect of our work. To respond to increased demands on this Office we need a structure that makes the best use of our existing resources. Now we'll be doing more and doing it better."



As part of his commitment to make the services of the Ombudsman more accessible to Ontario's Aboriginal Peoples, Dr. Hill co-hosted an Aboriginal Conference on the Ombudsman with the Sault Ste. Marie Indian Friendship Centre in May and addressed



delegates from across the northwestern sector of Ontario. Beside Dr. Hill is Sally Cuthbertson, President of the Centre. In the Spring Dr. Hill plans to visit Aboriginal communities and reserves in northeastern Ontario.

Feedback ... Citizens' Comments

... I totally agree with the Ombudsman's remarks in your March edition of Equal Times. Canada needs a federal Ombudsman. Has any progress been made in this regard? How could a private citizen help?

T.T.
Thunder Bay, Ontario

While we regret that the creation of a federal Ombudsman is not imminent, there is hope on the horizon. Many organizations (most recently the Canadian Bar Association) and individuals have joined us in calling for a federal Ombudsman. Perseverance pays. Private individuals can help by writing their Member of Parliament and by bringing this important issue to the attention of any groups (church, social, etc.) or unions to which they belong. —ED.

... My friend's daughter was involuntarily committed to the psychiatric ward of our local hospital and my friend requested your intervention when a problem arose. She was told that you have no jurisdiction over public hospitals — but this confuses me. If this girl were committed to one of the large provincial mental health centres, you would have jurisdiction. Why the distinction? Aren't they both funded by the provincial taxpayer?

M.C.
London, Ontario

Many people feel that we should have jurisdiction over such provincially funded or regulated institutions. Dr. Hill has called for examination and discussion of this issue. See Ombudsman's remarks in this edition. — ED.

... Recently I had problems with a large appliance company and I contacted your Office. I learned that you cannot investigate complaints against private companies, but I received excellent advice from one of your staff members. Because of this advice I was able to resolve my problem. Many thanks.

J.D.S.
Toronto, Ontario

Thank you for taking the time to say so. Our goal is to assist everyone who turns to us. If a problem is non-jurisdictional we try to refer people to the person or agency which can help. — ED.

... I think we have an excellent system of government in this province and I don't think money should be spent placating a bunch of whining complainers. If they don't like their government here there are a lot of other places to live.

A.N.
Ottawa, Ontario

One of the hallmarks of a free and democratic society is the right to complain about government maladministration and the right to have corrective action taken if there has been an injustice. It may interest you to know that the Ombudsman concept has been embraced in hundreds of states, provinces and countries around the world. — ED.



Erwin /85

Standing Committee On The Ombudsman Gets A First Hand Look



Members of the newly appointed all-party Standing Committee on the Ombudsman visited our Office recently to meet the Ombudsman and staff members. This Committee is empowered to review the recommendations of the Ombudsman and set general rules. The Members of the Committee are: Mr. Ron McNeil, P.C., (Chairman), Mr. H. Sheppard, P.C., (Vice-Chairman), Mr. R. Baetz, P.C., Mr. P. Hayes, N.D.P., Dr. J.D. Henderson, L., Mr. G. Morin, L., Mr. B. Newman, L., Mr. E. Philip, N.D.P., Mr. J.F. Pierce, P.C., and Mr. Y. Shymko, P.C.

Ombudsman's Remarks: Time for Changes

It has been a decade since the Office of the Ombudsman began fulfilling its mandate of service to the people of this province. I believe we can be proud of our Ombudsman's Office in terms of its thorough investigations, its competent and qualified staff and its excellent referral system for non-jurisdictional complaints. Yet, ironically, our goal of maximum effectiveness and service is impeded by the very instrument which gave our Office birth — the Ombudsman Act.

More than five years ago my predecessor, the Honourable Donald R. Morand, proposed a number of amendments to the *Ombudsman Act*. When I became Ombudsman in 1984, I reviewed these still-outstanding amendments and added several more for the Attorney General to consider. These proposed amendments would permit the Ombudsman to more effectively perform his investigative function for the benefit of the people of Ontario. I regret that none of these amendments has yet been passed.

The Ombudsman has often been the target of criticism by complainants, by Members of the Legislature and by the press because he does not publicly discuss complaints which might be of wide public interest. I strongly agree that the public has a right to know what the Ombudsman is doing and why — especially when issues arise that could affect a large segment of the population or that could involve the payment of large sums of money.

However, the *Ombudsman Act* imposes a duty of secrecy which prevents the Ombudsman from publicly commenting on these and other matters. I believe that the public's right to know about issues of concern in a free and democratic society far outweighs the benefits of maintaining silence. Therefore, one of my most important recommended amendments would allow the Ombudsman to make a special report to the Legislature or to comment publicly when he believes it is in the public interest.

Another of my major concerns is the lack of public awareness and understanding about the Office of the Ombudsman. For the citizen to use this important safeguard against governmental maladministration, the citizen must know about this Office. Regrettably, the *Ombudsman Act* does not address the critical need for public education. While I have made a start in increasing the level of public awareness of the Ombudsman's important role, much more will be done if my proposed

amendment making the Ombudsman responsible for conducting programs of public education is passed.

Another amendment involves financial compensation. There are situations where a government agency is willing to pay a wronged citizen but cannot because it lacks the necessary statutory authority. My proposed amendment would permit the payment of money where no other legal authority is available.

We know that justice delayed is justice denied. In past years we have been unable to help scores of aggrieved citizens because of restrictions to the Act. In my view the time has come to pass these proposed amendments into law.

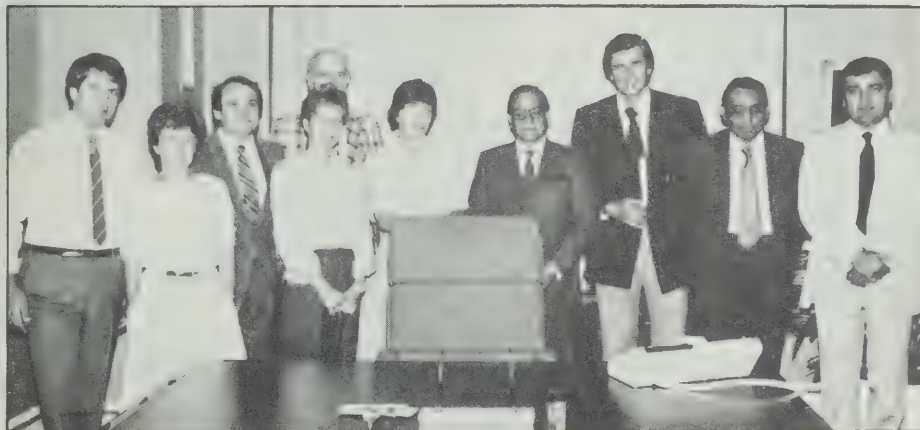
On a final note, it is time to consider other changes — that is, whether or not other areas of governmental activity should be subject to the Ombudsman's investigative powers. During the last ten years, the Office of the Ombudsman has received hundreds of complaints about the actions and decisions of municipalities, Children's Aid Societies, universities, public hospitals, Farm Product Marketing Boards and the Ontario New Home Warranty Program. These are all bodies that receive provincial funding or are under various degrees of regulatory control by the province, but which are not within the jurisdiction of the Ombudsman.

To many aggrieved citizens, the fact that the provincial Ombudsman cannot investigate provincially funded or regulated bodies seems an aberration of consistency and logic. Citizens who have suffered wrongs are not interested in technicalities. We at the Office of Ombudsman must refer these citizens elsewhere — reluctantly, because of our commitment and desire to help all those who seek our assistance.

As the incumbent Ombudsman, I have asked the Standing Committee on the Ombudsman to consider the merits of expanding our jurisdiction, and I invite any groups or individuals interested in this issue to communicate their views to this Committee.

The Office of the Ombudsman is funded by the taxpayers of Ontario — and it is my goal to serve Ontario's citizens as completely and effectively as possible. I am confident that the Office of the Ombudsman is ready to serve all the people of this province.

DANIEL G. HILL



Ombudsman of Pakistan visits Ontario

Chief Justice (Retd.) Mr. Muhammad Iqbal, (fourth from right), Ombudsman of Pakistan visited our office in July on his first official trip abroad. With him are Mr. Anwar Kemal (right) and Deputy Ombudsman Mr. Inam-ul-Haque (second from right).

Case Summaries

Privacy

The right to privacy and the issue of government handling of confidential information are of great concern to many citizens. The following case illustrates the Ombudsman's role in effecting changes in government policy to ensure the privacy of the individual.

The issue in this complaint concerned the confidentiality of a tenant's medical information as it related to eligibility for housing in Ontario Housing accommodations. The tenant complained to the Ombudsman that a Housing Authority employee had violated an oath of secrecy by improperly releasing medical information concerning him to the manager of the building in which he resided, and through this person, to other tenants of the building.

Because the Housing Authority was following established procedures in referring the complainant's file, including medical information, to the housing manager, the Ombudsman did not support the complainant's contention that an oath of secrecy had been broken.

However, it appeared to the Ombudsman that while confidential medical information is sometimes necessary for a specific purpose, such as establishing an applicant's eligibility for housing, there is no reason to retain this information on file once this purpose has been satisfied.

Following a meeting with the Ombudsman to discuss the matter, the Chairman of the Ontario Housing Corporation referred the matter to the Board of Directors of the Ontario Housing Corporation and to the Advisory Council of Housing Authority Chairmen.

As a result of their review, the Ontario Housing Corporation circulated a revised policy statement relating to confidential medical information. Under the revised policy, in those situations where confidential medical information is required to establish eligibility, the document will be destroyed after review, and the applicant will be so advised. Should the applicant prefer to have the information retained on file in the event of an emergency, the applicant must sign a release indicating consent.

The effect of this new policy is that medical information will no longer be transferred to housing managers once an applicant is accepted for housing, thus assuring the tenant's privacy.

Corrections

It is unreasonable to expect persons whose rights are legally curtailed because of their status as inmates to respect the rights of other citizens when those inmates are returned to the community unless fair, just and reasonable treatment is accorded them while in custody.

Inmates of correctional facilities are entitled to certain basic rights, for example, the right to a safe and healthy environment, the right to basic amenities, and the right to have all relevant information considered for parole and Temporary Absence Pass applications.

The following case illustrates how the Ombudsman can assist the Ministry of Correctional Services in protecting some of the basic rights of those charged to its care.

An inmate at a Northern Ontario jail complained that his cell has been sprayed with pesticide notwithstanding that he and a fellow inmate were confined within. His repeated requests to be released from the cell until the odour dissipated had been ignored. When our investigator discussed the matter with the Superintendent, the Superintendent readily agreed to spray pesticides only during those times when the cells were empty.

The Superintendent told our investigator that although the chemical used, Diazinon did emit an odour, the odour was not overwhelming, and the Pest Control Service has assured him that it would not constitute a health hazard.

Our investigator recalled that our Office had investigated a similar complaint at another Ontario jail where the same chemical, Diazinon, had been used to spray the cells. During that investigation, the Ministry of the Environment confirmed that Diazinon could cause nausea, headaches, and other health problems. As a result of that investigation, the jail discontinued using Diazinon, and substituted a less toxic, ordourless material called Ficam.

On February 11, 1985, the investigator wrote the Deputy Superintendent, outlining in detail the findings of our earlier investigation. On February 25, 1985, the Deputy Superintendent advised our Office that following discussions with the District Pesticides Officer of the Ministry of the Environment, the spraying of Diazinon would be discontinued and Ficam would be used in its place.

Ombudsman holds seminar on Charter of Rights and Freedoms

Lawyer John Sopinka, Q.C., (centre) delivered a paper to the staff members of the Office of the Ombudsman during the summer on the possible implications of the newly proclaimed Charter of Rights and Freedoms to the role and function of the Ombudsman.



Workers' Compensation Board

The Workers' Compensation Board does not have a time period limiting appeals. It is always open to a worker to appeal a decision some time in the future. In this case, we were able to assist a worker who suffered an accident 40 years ago; however, without assistance from other sources, we can be limited in obtaining information.

On September 11, 1944, a 27-year-old Timmins wood-cutter was injured when a pile of wood fell, struck him on the back of his head, and pushed him forward onto a circular saw. He suffered severe lacerations to his face and subsequently lost his right eye. At the time of the accident, he was told that his employer had no Workers' Compensation coverage. His employer had a contract with the Town of Timmins to cut firewood for families on relief.

Thirty-seven years later, he requested that the Board grant him entitlement. His request was prompted by a suggestion of a Board employee when he was being examined for another compensable condition.

In 1983, the Board concluded that the business of the individual for whom he worked was not covered under the Act in 1944 and therefore, he was not entitled to benefits.

With the kind co-operation extended by the city of Timmins, our preliminary investigation led us to that city's archives. There documents were found which substantiated that the City of Timmins, which did have Workers' Compensation coverage, was the primary contractor.

Based on the information submitted by our Office, the Board revoked its previous decision, and found that although the employer was not covered, the Town of Timmins was ultimately responsible for the worker's coverage.

In July 1984, forty years later, the Board granted the injured employee entitlement for the eye he lost in 1944.

The Ombudsman is at your Service

If you have a problem with any Ministry, Board, or agency of the government of Ontario that you have been unable to resolve, the Ombudsman of Ontario can investigate your complaint and make appropriate recommendations.

(Top right) Galloping gourmet staff members, (from left) Ed Harrington, Jay Chalk, David Mackey, Gerald Stuart, D'Arcy Robert, Doug Naish, Vlad Bubrin and Roland Paskar admire their culinary creations for a staff luncheon to benefit the Federated Health Campaign.

(Right) Robin Rowe and Ed Harrington compete in one of the hotly-contested athletic events in aid of the Federated Health Campaign.

Thirty-six participating government agencies and the Office of the Ombudsman collectively raised \$410,000, approximately 25 per cent more than 1984 total. The money is used to support medical research, patient services and public health education.

Federated Health Campaign a Success

The committee of the 1985 Federated Health Campaign asked the employees of the Office of the Ombudsman to raise \$2,100 as their contribution to the Ontario Government Employees Charity Trust Campaign. Not only did the Office of the Ombudsman surpass that goal by raising a grand total of \$2,676.95, but the employees are also the proud recipients of the 1985 'Gold Award' for campaign improvement, and the 'Silver Award' for campaign performance.

Under the enthusiastic direction of Campaign Co-ordinator Gerald Stuart, and Treasurer Wanda Cap, the staff organized and participated in a variety of special events. These included a scrabble tournament, a luncheon prepared and served by male staff members a raffle, and some hotly-contested sports events.



How to Contact the Ombudsman



Write, telephone, or visit:
(collect calls accepted)
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
M5S 2C7
(416) 586-3300 (24 hours)

Regional Offices:

Suite 701
1265 Arthur Street East
Thunder Bay, Ontario
P7E 6E7
(807) 623-5058

Suite 702
151 Slater Street
Ottawa, Ontario
K1P 5H3
(613) 234-6421

Suite 203
591 Main Street East
North Bay, Ontario
P1B 1B7
(705) 476-5800

81 Balsam Street South
Timmings, Ontario
P4N 2C9
(705) 268-2161

223 First Street South
Kenora, Ontario
P2N 1C2
(807) 468-3091

Our multi-lingual staff can communicate in 24 languages, including:

Cree	German	Russian
Croatian	Gujerati	Serbian
Czech	Hindi	Slovak
Dutch	Italian	Slovenian
Estonian	Macedonian	Spanish
English	Ojibway	Turkish
Filipino	Polish	Ukrainian
French	Portuguese	Yiddish

If you are an inmate or patient in a provincial institution, your letters to and from the Ombudsman will not be opened by the authorities.

More Information on the Ombudsman:

Our Office tries to accommodate all requests for further information. We have pamphlets, multi-lingual fact sheets and other print materials available; we provide a staff member to speak to groups and for tours of our operation. Just telephone or write to any of our offices.

Equal Times/Published by

The Office of the Ombudsman of Ontario

Editor: Milan Then
Asst. Editors: Lynne Bridger,
Christine Martin

We are interested in your comments. Please write to:

Equal Times
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario M5S 2C7

Free-For-All

The following services are free to any person who asks. We try to publish a few of these items every issue. If you know of others, please let us know and we will print them.

Legal Information:

Community Legal Education Ontario (CLEO), 62 Nobel Street, Toronto, Ontario M6K 2C9. Telephone: (416) 530-1800. Provides the following pamphlets in both English and French: Assault In Your Home; Dealing with Debts; Unemployment Rights; Grounds for Divorce; Patients' Rights; Police Powers I: Stops and Searches; Police Powers II: Arrests and Detention; Support for You and Your Children; Unemployment Rights; Where To Go When You Have A Problem.

Unemployment Help Centres:

Free advice (and usually assistance) with unemployment insurance matters. Funding is precarious, so centres close frequently. Currently there are centres operating in:

Belleville	Guelph	Peterborough
Brampton	Kingston	Sarnia
Brantford	London	St. Catharines
Cambridge	Niagara Falls	St. Thomas
Cobourg	Oshawa	Sault Ste. Marie
Collingwood	Ottawa	Windsor

Consult your local Community Information Centre for phone number. (Note: All Toronto offices are closed.)

Home Draftproofing for Low Income Residents:

The Ministry of Community and Social Services is testing a project that will provide work to unemployed youth, who will caulk and weather-strip the homes of low-income persons receiving family benefits or welfare. The project "Draftproof Ontario," is currently operating in the Nipissing, Muskoka and Parry Sound Districts, and in Bracebridge, Mattawa, Sturgeon Falls, Ottawa and Windsor. For more information contact the Community and Social Services office in your area and ask for the employment liaison officer.

Free or Low Cost Dental Care:

For school children: includes cleaning, fillings and extractions, but not orthodontic work. Work is free for a minimal fee, depending on local municipality. For information contact dental clinic at your child's school. If none, contact your local Public Health Department. (Note: this program is available to everyone and is not based on financial need.)

For low-income adults: any "person in need" (not only welfare recipients) may be eligible for welfare-assisted dental care. Old-age pensioners, students and other low-income persons who cannot afford basic dental care should contact their local Welfare District Office.

Tenant Hotline:

1215 St. Clair Avenue West, Toronto, Ontario M6E 1B5. Telephone: (416) 532-4467. Advice, assistance and representation for tenants in all matters relating to Landlord and Tenant Act and the Residential Tenancies Act. Also, helps organize tenants' associations and represents groups of tenants.

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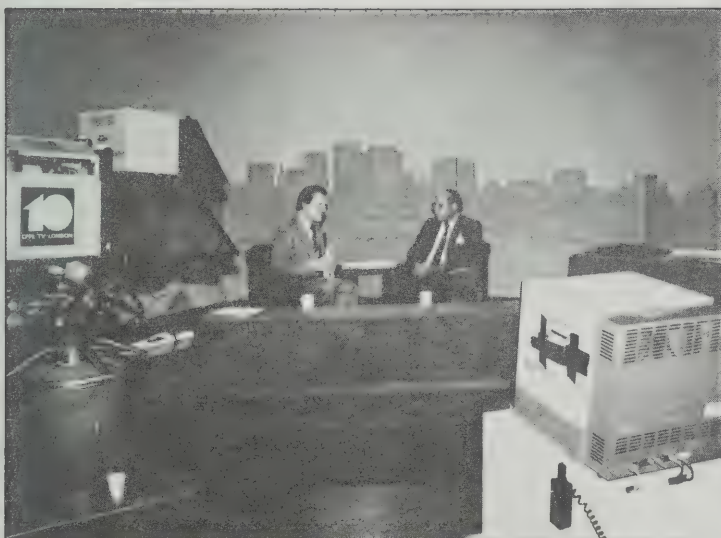


EQUAL TIMES

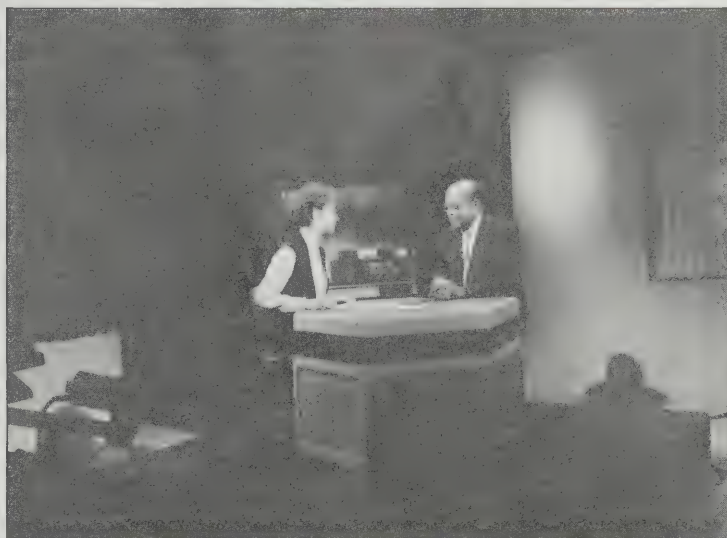
OMBUDSMAN/ONTARIO
NEWSLETTER

Vol. 4, September 1986

Reaching Out to the Limits



Ombudsman Daniel G. Hill appears on local media to announce the expansion of services to Windsor and area residents (l.) and London viewers (r.).



Investigator Barbara Hirst at the Winisk Airport. Shortly after this trip, Winisk suffered massive destruction from flooding.



Regional Services Director Harvey Savage (r.) and Mary Lou Iahtail (far left), of the Ombudsman Timmins Office meet with Chief Kakekaeyaban and Band Councillor Stoney of Fort Severn.

Illustrating the Ombudsman's commitment to providing service to Ontario's remote native communities, three Ombudsman staff members undertook a rugged, four-day excursion to Northern Ontario last March.

Travelling in the bitter cold by single-engine plane and snowmobile were Harvey Savage, Director of Regional Services, Mary Lou Iahtail, Timmins District Officer, and Barbara Hirst, Investigator with our Land Use, Resources and Revenue Team.

Beginning their northern journey in Moosonee, the three visited isolated reserves in Attawapiskat, Fort Severn, and Winisk in the James Bay region. Mary Lou Iahtail served as translator and provided entrée to the team into native society and access to the Chiefs and Band Council members.

The purpose of the trip was two-fold. One was to demonstrate to the native community that the Office of the Ombudsman stands ready to assist them with complaints against the provincial government. The outreach program also provided insight into the nature of complaints which this Office must investigate.

Native leaders discussed several matters of vital concern to their communities with the Ombudsman team. Accenting the need for adequate Ontario housing, for example, the team was taken to a one-room house where 15 members of one family are living.

In addition, concern was voiced about the provincial government's firefighting and trapping policies, power shortages experienced by some native communities, and the need for clarification of the powers of O.P.P. special constables stationed on reserves,

(cont'd. on page 6)

Regional Services Extended

New staff appointments in the Regional Services Directorate will help Ombudsman Daniel G. Hill keep his commitment of accessible service for all Ontarians.

Seven new staff members have been appointed and will join the regional team already consisting of Timmins District Officer, Mary Lou Iahtail; Thunder Bay Area Manager, Michael Dunnill; North Bay Area Manager, Eric Moody; and Native Programs Officer, Allan Pelletier.

The appointments include two new District Officers: Klaas Bylsma in Ottawa, and Jennifer Carten in Kenora.

Mr. Bylsma, a former community legal worker in Ottawa, has been a community worker and community organizer since 1971. He has worked on handicapped, welfare rights, tenants, and worker compensation issues in both Quebec and Ontario.

Jennifer Carten is a lawyer who also worked part-time at the Kenora Community Legal Clinic before joining the Office of the Ombudsman. Through living and working in the North, she has become familiar with issues of concern to Northern Ontarians.

Robin Rowe, Field Supervisor, Regional Services, has been appointed to oversee the part-time Field Officers in Windsor, London, and Sault Ste. Marie.

Long-time Windsor resident Mrs. Pamela Young started her position as complaints intake officer and community liaison in Windsor and Essex County on March 25th. Mrs. Young was a benefits officer for CUPE Locals 543 and 82 before joining the Ombudsman's staff. She has also had extensive volunteer experience as a member of the Board of Directors of the Windsor Association for the Mentally Retarded, the Fresh Discoveries Co-operative Nursery School, and the Essex County Association for Children with Learning Disabilities.

Jackie Yuen has been appointed the part-time Field Officer for London and Middlesex County. Ms. Yuen directed the London Unemployment Help Centre where she was an advocate for individuals with government-related problems. A London native, Ms. Yuen has many community contacts which she will call on in her new role as the Ombudsman's agent.

(cont'd. on page 3)



Regional Services staff (top to bottom): Eric Moody, Michael Dunnill, Mary Lou Iahtail, Jennifer Carten, Klaas Bylsma, Robin Rowe.

New Director of Regional Services Appointed



Harvey Savage
Director Regional Services

Harvey Savage, the newly appointed Director of Regional Services at the Office of the Ombudsman, is interested in making the Ombudsman's services more reachable. Mr. Savage, a lawyer with extensive experience in human rights issues, feels a human presence in areas

where there is no office at present will make the Ombudsman's services more accessible and relevant to people. In an interview, Mr. Savage said, "Most people can only reach us by phone or mail right now. That's not good enough."

Mr. Savage intends to extend services to community groups and encourage people to use Ombudsman services, especially people, such as disabled citizens, who might have unique problems.

Mr. Savage is in the process of establishing the integrated service approach throughout the province announced by Dr. Hill in a December speech in Windsor. New part-time employees will be placed in an additional two or three areas of the province in 1986 to supplement five regional offices and three part-time Field Officers.

In addition, he is expecting to train up to 100 volunteers to act as community referral points in a Listening Post Program for remote areas of Ontario. These "listening posts" will be identified as Ombudsman representatives in their communities. The volunteers, provided with resource manuals, will strengthen local problem-solving resources and serve as a referral network for Ombudsman services. ■

Regional Services, cont'd. from page 2

Johanna Bischooping, appointed July 29, is the newest Field Officer serving the residents of Sault Ste. Marie and area. Ms. Bischooping has lived in the Soo since 1954 and has been an active member of several community groups, as well as working for two area M.P.P.'s. Her knowledge of area issues and concerns will make her an important part of the problem-solving process in the Soo. ■



Pam Young
Field Officer, Windsor



Jacqueline Yuen
Field Officer, London



Johanna Bischooping, Field Officer, Sault Ste. Marie

Special Study of W.C.B. Psychological Disability Claims

With hopes of improving the Workers' Compensation Board's adjudicative process of claims involving psychological disability the Ombudsman is conducting a special study of all such complaints presently under investigation.

The Ombudsman believes that the W.C.B. practices in this area may constitute a systemic problem which will not be affected by the changes to the Workers' Compensation Act or by the functioning of the new Workers' Compensation Appeal Tribunal. These practices include denying entitlement on the basis of "personality factors" even though there is no history of emotional difficulty prior to the accident and the broader problem of the Board preferring the opinions of its own physicians regardless of qualifications.

Senior investigative staff member, Faye Rodgers, has been appointed to review all relevant files and consult with Board personnel who have a particular expertise in the issue of psychotraumatic entitlement. ■

Feedback . . . Citizens' Comments

. . . I had occasion to use your services when I was living in Ontario last year. There's an Ombudsman in every province except the one I'm now living in, P.E.I. Why is that?

M.C.
Summerside, P.E.I.

We really don't know. However, you may be interested to know that many residents of P.E.I. have addressed their complaints to the Ombudsmen of Nova Scotia and Newfoundland with good results in some cases. — ED.

. . . I didn't even know about your Office until I saw a copy of *Equal Times* in my social worker's office. I'm sorry I didn't know about you sooner.

Z.H.
Sault Ste. Marie

We're pleased to report that there is now an Ombudsman representative in Sault Ste. Marie on a permanent basis. — ED.

. . . I'm not a citizen of Canada yet, although I hope to become one soon. As a landed immigrant, can I use the Ombudsman's services?

M.P.
Toronto

Every resident of Ontario who has a problem s/he can't get solved with an Ontario government agency can call on the services of the Ombudsman. Our multilingual staff can communicate in 28 languages. — ED.

Special Study of Services For Developmentally Handicapped

The Ombudsman has recently undertaken a special study to investigate the increasing number of concerns and complaints about the care, treatment and availability of services for the developmentally handicapped in Ontario.

Questions about administrative fairness procedures, the legislation governing the developmentally handicapped, funding policies and practices, discharge planning for individuals to be repatriated from provincially run facilities, are but some of the issues brought to the Ombudsman's attention.

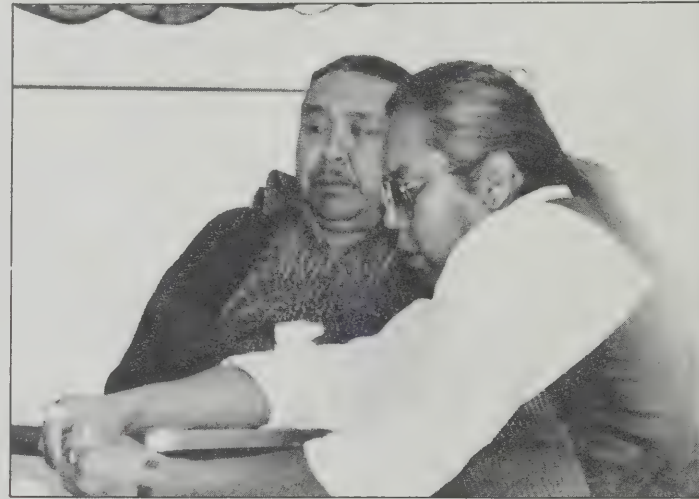
Senior investigative staff member, Carole Eldridge, has been appointed to analyse past complaints in order to identify systemic problems in educational and institutional settings and the community at large. She is also contacting private organizations and service providers involved in this area to explain the Ombudsman's role and function. ■

More Freedom of Religion for Native Inmates

Allan Pelletier, Native Programs Officer for the Office of the Ombudsman, reports a change of policy at the Ministry of Correctional Services that ensures native inmates will have access to spiritual practices within their religious traditions. Native spiritual practices will be accorded the same status and protection as other religions in the correctional system.

The change in policy was the result of extensive consultations between Ministry officials, the Native Council on Justice, and the Ombudsman's Office.

Sweat lodge ceremonies, seasonal feasts, use of sacred plants, and visits by Elders are some of the rites being encouraged by the new Ministry policy. ■



Ron Proulx, Elder, Native Council on Justice and Cliff Solomon, Elder Proulx' helper, conducted opening and closing ceremonies at an Ombudsman public education workshop for native representatives and Ministry of Corrections workers.



Investigators Tom Skene, Gerry Carlino, Raymond Lepine from the Quebec Ombudsman's Office, and Asfaw Siefe from the Office of the Public Complaints Commissioner, at the first ever Canadian Ombudsmen Investigators' Workshop, held in Toronto, March, 1986 which brought together staff from provincial offices to discuss investigative issues and techniques.

Ombudsman's Remarks

In other sections of this issue of *Equal Times* you will read about the reorganization of our Directorate of Regional Services, the move of our Thunder Bay Office from a highrise to a downtown storefront, a trip by staff members to the most remote reserves in Ontario, the availability of this newsletter in braille, the appointment of my first part-time Field Officers for Windsor, London and Sault Ste. Marie, the publication of new brochures, and the presentation of workshops and educational events in which I and my staff participated.

These are all part of the realization of my promise that the Office of the Ombudsman would become more visible, more reachable, and more relevant to Ontarians. These are the concrete demonstrations of an organized effort of outreach and education about our service and how it can help you.

In the near future, I will be appointing additional part-time Field Officers in areas of the province that are presently underserved. Also, I have started a special project to research how my Office can better serve multihandicapped residents of provincial institutions. As well, our outreach visits to institutions, participation in workshops, and public speaking engagements will continue.

The Office of the Ombudsman exists to investigate and resolve citizen complaints against the administrative actions of our provincial government and to explain and protect the rights of our residents in their dealings with over 500 government ministries, boards, agencies and other administrative units employing more than 80,000 public servants. Our mandate is large. Our resources are limited. I am more than ever convinced of the necessity of an integrated approach to service which emphasizes accessibility. I know that unless we are known and accessible we cannot help those who need us.

I am proud of our progress to date and will continue to work for full accessibility for all the people of Ontario.

Daniel G. Hill

Daniel G. Hill



Ombudsman Daniel G. Hill announces the extension of office services to 60 Sault Ste. Marie residents in June.



Ombudsman staff consult with native representatives in Sault Ste. Marie. (L. to r., Eleanor Meslin, Ombudsman Hill, Harvey Savage, Allan Pelletier)



Area M.P.P. Jim Foulds, Mayor Jack Masters, and Ombudsman Daniel G. Hill outside the new storefront location at the Thunder Bay Ombudsman Office opening.

Thunder Bay Office

On March 3, the Ombudsman cut the red tape to officially open his new Thunder Bay Office. Dr. Hill was helped by Thunder Bay Mayor Jack Masters, Member of the Provincial Parliament for Port Arthur Jim Foulds, and Ombudsman Area Manager Michael Dunnill.

The 80 people attending represented community service agencies, ethnic organizations, native groups, self-help groups, Ontario government ministries and agencies, and the general public.

In his remarks, Dr. Hill emphasized that the move to a street level storefront was part of a concrete demonstration of his determination that Ombudsman services be easy to get to and easy to use. He said, "Having a walk-in storefront in Thunder Bay is part of an integrated approach to service which emphasizes accessibility."

The Thunder Bay area office downtown is at 213 Red River Road (phone 345-9235). ■

Special Investigation of Timmins Housing Authority

The Ombudsman announced a special study of the Timmins Housing Authority in his just-released Annual Report. This resulted from a disproportionate number of complaints from the Timmins/Moosonee area and Dr. Hill's continuing interest in the welfare of the native community. Investigator Cathy McKay is conducting a detailed analysis of Housing Authority files and interviewing staff and residents in Timmins and Moosonee. The Honourable Alvin Curling, Minister of Housing and Mr. David Greenspan, Chairman of the Ontario Housing Authority, have met with Dr. Hill and offered their assistance and co-operation to ensure a thorough and complete report. ■

Reaching Out, cont'd. from page 1

among other issues. One Chief was distressed by the epidemic of teen suicide attempts on his reserve and the lack of follow-up drug counselling.

One Chief presented Harvey Savage with a brief calling for the creation of a federal Ombudsman, as many issues affecting native reserves fall under federal jurisdiction. Dr. Hill has been in the vanguard of the movement to create a federal Ombudsman. ■

Services for Seniors

Free legal services are available from the Advocacy Centre for the Elderly. Single people must have an income of less than \$16,585 (two people less than \$20,132) to qualify for service. If you can't come to the ACE office, staff members can arrange a visit to your residence. For more information contact: Advocacy Centre for the Elderly, 20 Holly Street, Suite 405, Toronto, Ontario M4S 2E6.

Clubs, social, and recreation centres for seniors can get help with:

- organizing by contacting the Resource Centre, Ministry of Citizenship and Culture, 9th Floor, 77 Bloor St. West, Toronto M7A 2R9 (416) 965-6763;
- capital grants by contacting the Senior Information Services, Ministry of Community and Social Services, 2195 Yonge Street, Main Floor, Toronto M7A 1G1 (416) 965-5103;
- project grants by contacting the New Horizons Program, Health and Welfare Canada, 2300 Yonge Street, Suite 1104, Toronto, M4P 1E4 (416) 481-5183;
- more information by contacting the Office of Senior Citizens' Affairs, 6th Floor, 76 College Street, Queen's Park, Toronto M7A 1N3 (416) 965-1702 ■

Ombudsman Hosts Ontario Community Legal Clinic Representatives

Dr. Hill asked for closer co-operation between his Office and the province-wide community legal clinic system in his opening remarks to clinic workers at an all day conference on the role and function of the Ombudsman. He emphasized what he hoped would be the beginning of a "symbiotic relationship, marked by common goals, information sharing, and a mutual referral service" with community legal clinics. He referred to the mutual goals of ensuring fair, just, and humane operations of over 500 ministries, boards, and agencies of the government of Ontario.

The Ombudsman asked the 60 community legal clinic representatives attending to consider the need for the Legislature to examine the *Ombudsman Act*. In his short tenure in office, he has identified several problem areas which he sees as affecting his ability to carry out his duties effectively.

In section 13, the Act imposes a duty of secrecy on the Ombudsman and staff which prevents any public comment on investigations in progress. The Ombudsman would like to be able to make special reports and to comment publicly on investigations when it is in the public interest. He would like an amendment providing for programs of public education about the Office of the Ombudsman and about other appeal procedures and remedies. Finally, the Legislature should consider whether some of the bodies now outside the Ombudsman's jurisdiction (for example, public hospitals, universities, municipalities, children's aid societies) should be dealt with by the Ombudsman.

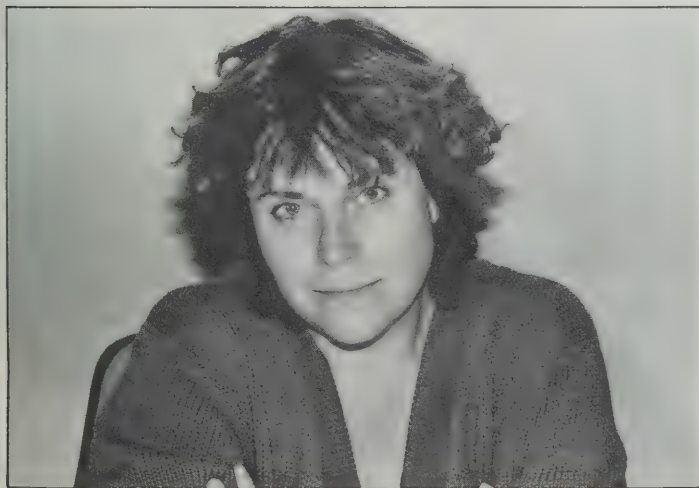
John Friendly, acting Executive Director at Community Legal Education Ontario (CLEO), acted as moderator of the plenary panel.

Mr. Friendly mentioned that a CLEO priority will be to co-operate with the Ombudsman's Office in programs of public education.

"The whole point of the conference," said Mr. Friendly, "was to get the clinics and the Ombudsman together and let creative minds figure out some interesting ways to work together." ■



Plenary panel addresses Ontario legal clinic workers at Ombudsman workshop. (L. to r., John Friendly, CLEO, Karen Thompson-Harry, Halton Hills community legal worker, Martha Keil, Ombudsman staff, Don Martin, Parkdale Community Legal Services, Brian Cook, workers' representative, Joy Van Kleeef, Ombudsman staff)



*Karen Wheeler McSweeney
Community Relations Co-ordinator.*

New Appointments

Karen Wheeler McSweeney, Community Relations Co-ordinator, will assist Regional Services in its public education programs. A community development and public education materials specialist, she joined the Communications and Public Education Directorate in December, 1985. Ms. Wheeler McSweeney spent eight years in the community legal clinic system where she worked extensively with women's groups, ethnic communities, secondary schools, and disabled consumer groups in designing public legal education programs. ■

How to Contact the Ombudsman



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(collect calls accepted)
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario M5S 2C7
(416) 586-3300 (24 hours)

Regional Offices

340 McIntyre Street West
North Bay, Ontario
P1B 2Z1
(705) 476-5800

702, 151 Slater Street
Ottawa, Ontario
K1P 5H3
(613) 234-6421

213 Red River Road
Thunder Bay, Ontario
P7B 1A5
(807) 345-9235

District Offices

223 First Street South
Kenora, Ontario
P9N 1C2
(807) 468-3091

81 Balsam Street South
Timmins, Ontario
P4N 2C9
(705) 268-2161

Field Offices

Sault Ste. Marie and area
P.O. Box 723
Sault Ste. Marie, Ontario
P6N 5N3
(705) 759-2871

Southeast Ontario
P.O. Box 1019, Station B
London, Ontario
N6A 5K1
(519) 432-1117

Windsor and area
P.O. Box 3275
Tecumseh Postal Station P
Tecumseh, Ontario
N8N 2M4
(519) 974-6166

Our multilingual staff communicates in 28 languages including:

Amharic	German	Portuguese
Cree	Gujerati	Russian
Croatian	Hebrew	Serbian
Czech	Hindi	Slovak
Dutch	Hungarian	Slovenian
Estonian	Italian	Spanish
English	Kannada	Ukrainian
Filipino	Macedonian	Urdu
French	Oji-Cree	Yiddish
	Polish	

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Editors: Karen Wheeler McSweeney,
Christine Martin, Valerie Vanstone

Photos and comments are always welcome. Please write to:
Equal Times
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
M5S 2C7

Access for Print-Handicapped

The Ombudsman announced a new policy recently to address the accessibility problems encountered by the thousands of Ontarians who are unable to read or use regular print because of a visual or physical handicap.

In keeping with recent federal government guidelines, Dr. Hill has adopted a "Reasonable Access Policy" for Office of the Ombudsman materials. Individuals who are unable to read or use regular print materials because of physical disability may contact the Communications and Public Education Directorate to request that the materials be transcribed into an accessible medium. The Directorate will take every reasonable step to ensure that access is provided.

The first step in this policy is the regular transcription of *Equal Times* into braille.

The Office has a limited number of braille transcriptions of each issue available. Organizations and individuals who would like to receive *Equal Times* in braille should write or call the Office of the Ombudsman. ■

Fact Sheets

Fact Sheets on the Office of the Ombudsman have been reprinted and are available in Chinese, Croatian, Cree, Finnish, Greek, Italian, Polish, Portuguese, and Spanish. For free fact sheets, write to us. ■

Speakers

The Office of the Ombudsman provides speakers and workshop leaders to groups free of charge. Programs on the role and function of the Ombudsman and effective communication with government can be arranged by writing or calling any of our offices. ■

Take Note

In the last *Equal Times*, we mentioned an Ontario government program for low-income people who needed dental care. We forgot to mention that this is a discretionary program, not offered by all municipalities.

Under the special assistance and supplementary aid programs, low-income workers and old-age pensioners may be eligible for dental care assistance, if they live in a municipality offering the program. To find out if your municipality is one of those, call your local Welfare Office. ■

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EQUAL TIMES

OMBUDSMAN/ONTARIO
NEWSLETTER

Government
Publications

Vol. 5, December 1987

ISSN 0833 1499

Special Investigator For Ethnocultural Issues



Ed Harrington (left), newly appointed Special Investigator for ethnocultural issues hears presentation from members of SOFADECA (Society for Assistance and Defence of New Canadians and Ethnic Groups of Canada).



Stephen Lewis, Canadian Ambassador to the United Nations, receives B'nai Brith's Special Human Rights Award from the Ombudsman at the annual National Media Human Rights Awards presentation in Toronto. Phil Leon, National Chairman, League for Human rights, stands behind.

**Lecteurs français
voir à la page 4.**

The Ombudsman recently announced the appointment of Ed Harrington as a Special Investigator working primarily with ethnocultural communities.

Mr. Harrington, former star defensive end with the Toronto Argonaut Football Club, has been with the Office of the Ombudsman for ten years. He most recently served as Special Assistant, Intake/Corrections. Mr. Harrington's new position will involve a significant amount of community outreach work to promote understanding of the Office and, especially, encourage use of its service for those Ontarians who are members of ethnic and visible minority communities. He will serve as the primary contact for these groups and arrange for them to meet with Dr. Hill. Mr. Harrington will also mount an extensive public education campaign, including speeches, media appearances, interviews, and articles about his programme and the services of the Office of the Ombudsman.

Dr. Hill said: "In my tenure as Ombudsman, I have often commented on the realities of the new Ontario — an Ontario that is multilingual, multiracial, and multicultural. Mr. Harrington's project is the first step in a concerted effort to ensure that ethnocultural issues are being dealt with sensitively and appropriately by the Office of the Ombudsman as those issues have an important place in my work as Ombudsman."

Open House

On December 10th, the Ombudsman and his staff will open the large oak doors of his Office at 125 Queen's Park, Toronto, and welcome community representatives to an Open House.

Both the day and the event are significant. December 10, 1987, marks the 39th anniversary of the adoption of the United Nations Universal Declaration of Human Rights, and the 12th year of operation of the Office of the Ombudsman.

Although the Ombudsman has had an Open House in all regional offices, this will be the first time the Toronto office has hosted its community.

Government officials, elected representatives, labour, business, religious, and community leaders will join the Ombudsman and his staff for the occasion.

Feedback... Citizens' Comments

Dear Editor and Assistant Editors,

I have had occasion to contact the office of the Ombudsman concerning Workers' Compensation. I want you to know how very pleased I am with the efficient manner in which the outstanding matters have been resolved. The Ombudsman's Office has my highest esteem.

This Office goes to the heart of the matter, cuts through a maze of red tape and gets things done. One feels, that as an ordinary citizen, one counts for something. I can't praise the Office of the Ombudsman enough. It's just wonderful the way they go to bat for everyone in the name of fairness and justice for all. It warms my heart. Dr. Hill has a very professional and devoted staff, which speaks highly for the man.

Is it possible for me to subscribe to this newsletter on a regular basis? I find it very informative. Is there a fee for this newsletter? Kindly advise.

Awaiting your reply.

Mrs. P.
Niagara Falls

Thank you for your comments. Our newsletter is free and you are on our mailing list. — ED.

Dear Editor,

Mr. Hill is a symbol of democracy. I think the Ombudsman is an integral part of fair, open and democratic government.

Mr. J.
Ottawa



The Ontario Ombudsman Office has a world-wide reputation. Members of the Petitions Committee of the State Parliament of Baden-Württemberg, West Germany, visited recently.

Developmental Handicap Project Update

One and a half years after becoming the first Canadian Ombudsman to focus on the provision of services to the developmentally handicapped, Daniel G. Hill has decided to broaden the mandate of Special Project Officer Carole Eldridge.

The months of concerted outreach, education, and assistance to "Ontarians with labels" as well as their families, friends, and advocates, reached thousands of people and led to several notable accomplishments. Preparation of a resource manual is well underway; a vehicle for non-verbal complainants to access the services of the Ombudsman has been established; a request for changes in the Ombudsman's governing legislation which would directly affect the developmentally handicapped living in facilities has been directed to the Legislature; and a dramatic increase in the number of complaints brought to the attention of the Ombudsman relating to the developmentally handicapped has been evident.

Accordingly, Dr. Hill has decided to expand the focus of the Project to include other forms of disability. In some cases Ontarians may find it difficult, if not impossible to attend at one of our Offices. Still, they may wish to have a personal interview to discuss their concerns. Members of associations who have joined together because of common concerns relating to and/or arising from a shared disability may be unsure how to include the Ombudsman in the resolution of these matters. In other situations the Special Project Officer can act as a facilitator.

Carole Eldridge is available for conferences, seminars, workshops, and speaking engagements to consumer groups, relatives and friends of the disabled, and professional organizations.



Special Projects Officer, Carole Eldridge (left), at Metro Toronto Association for Community Living Annual Conference with Gianni Corini, MTACL Supervisor, Adult Protective Service Workers, Barry Smith, President, Mississauga Chapter, People First, and Anne Stafford, Director, Ontario Association for Community Living,

Ombudsman's Remarks

This month marks the 39th anniversary of the adoption of the United Nations Universal Declaration of Human Rights. Adherence to and enforcement of the principles of that magnificent document extend beyond the political leadership of the signatory nations. Respecting human rights is the challenge and responsibility of every institution and every person.

The Ombudsman is part of this process. People have the right to fair treatment from government. The Ombudsman sees that right is respected. By investigating complaints against the administrative actions of the more than 500 provincial ministries, boards, agencies and commissions the Ontario Ombudsman plays a vital role as an authentic agent for justice for all Ontarians.

I am pleased to report my commitment to make the Ombudsman better known and more accessible to all Ontarians is producing positive results. An all-time high of more than 17,000 complaints and requests for assistance were processed last year. Regionalization of services has been extended to eight strategic locations across the province. Community outreach initiatives have established the Ombudsman as an integral part of the problem solving process for hundreds of groups and organizations. With the introduction of a new toll-free number the services of the Ombudsman are literally at the fingertips of all Ontarians.

We have become adept at referring people to the services they need, even when their complaints are beyond our jurisdiction. For a large number of Ontarians our intervention has been critical to re-establishing a sense of well-being and participation in community life. Our work has also frequently led to vitally important financial compensation for complainants who have to rely on government allowances for their basic income.

Our work has had an impact beyond the resolution of individual problems. On many occasions we have convinced Ministries to change or clarify procedures and policies which were inequitable or needlessly complicated. In some cases, our recommendations have prompted the government to amend its legislation and regulations.

We are proud of the fact that the Office of the Ombudsman has assumed a significant role in public life. Ontarians have the right to no less.

Daniel G. Hill

Daniel G. Hill

Grievance Procedure Adopted

With the formal signing of the Employee Grievance Procedure by Dr. Hill in October, we became the first Canadian Ombudsman's Office to adopt a formal grievance procedure for our employees. Members of the joint Management-Employee Committee are, from left, Joan Harrison, Personnel Officer, Eleanor Meslin, Executive Director, Harvey Savage, Director Regional Services, Gerry Carlino, Investigator, Paula Boothby, Asst. Director, Justice and Licensing, Andy Macdonald, Counsel, Michael Zacks, General Counsel, D'Arcy Robert, Investigator, Gail Morrison, Director of Investigations, and Jacquie Chic, Investigator.



Ce que l'ombudsman peut faire pour vous

Le Bureau de l'ombudsman est pour vous un allié précieux que vous pouvez saisir de vos plaintes contre les ministères, les organismes, les conseils et les commissions du gouvernement de l'Ontario. Le premier ombudsman a été nommé par l'Assemblée législative de l'Ontario en 1975 pour faire enquête sur les décisions et les actions des fonctionnaires et des organismes du gouvernement de l'Ontario. Cela signifie que l'ombudsman peut examiner les décisions et les actions de plus de 500 organismes gouvernementaux. Par exemple:

- La Commission de révision de l'aide sociale (qui entend les appels de personnes de faible revenu qui reçoivent une aide du gouvernement de l'Ontario)
- La Commission de révision de l'évaluation foncière
- La Commission d'indemnisation des victimes d'actes criminels
- La Commission des affaires municipales de l'Ontario
- Le Régime d'aide financière aux étudiants de l'Ontario (commission d'appel)
- La Commission de révision des services à l'enfance
- Les tribunaux de l'enfance en difficulté
- Hydro-Ontario
- La Commission d'appel des services de santé
- Les conseils de révision des établissements psychiatriques
- La Société de logement de l'Ontario
- La Commission des accidents du travail
- Le tribunal d'appel des accidents du travail
- La Commission de révision des loyers
- La Commission des relations de travail de l'Ontario
- La Commission ontarienne des droits de la personne

Les quelque 80 000 personnes qui travaillent pour le gouvernement de l'Ontario prennent tous les jours des milliers de décisions. La plupart sont justes et raisonnables. Il arrive cependant qu'une décision ou une action soit injuste, illégale, excessive, injustifiée, erronée ou tout simplement inacceptable. Le Bureau de l'ombudsman est là pour le dire et vous aider à redresser la situation.

Quatre choses à savoir relativement aux services de l'ombudsman:

- 1) Le problème doit concerner un organisme du gouvernement de l'Ontario. L'ombudsman n'a pas compétence sur les organismes du gouvernement fédéral (responsables de l'assurance-chômage, du Régime de pensions du Canada, etc.) ni sur les organismes municipaux (qui administrent l'aide sociale générale, le ramassage des ordures, etc.). Il ne peut pas examiner les causes entendues par les tribunaux ni leurs jugements non plus que les conflits entre particuliers (entre propriétaires et locataires, par exemple). Certaines affaires municipales ou fédérales sont liées aux politiques du gouvernement provincial. Dans ce cas, elles peuvent relever de l'ombudsman.
- 2) L'ombudsman ne peut faire enquête qu'une fois que tous les droits d'appels ont été épuisés ou que les dates limites pour faire appel sont dépassées. Pour vous renseigner sur vos droits d'appel, adressez-vous à votre député local, à l'organisme du gouvernement en cause, à une clinique communautaire d'aide juridique ou au Bureau de l'ombudsman.
- 3) L'ombudsman n'est habilité qu'à recommander des changements. Il ne peut pas les imposer. S'il l'estime nécessaire, il peut saisir le premier ministre de l'Ontario ou l'Assemblée législative de la plainte.
- 4) Les enquêtes sont gratuites et confidentielles.

Vous pouvez prendre contact avec le Bureau de l'ombudsman en écrivant ou en téléphonant au bureau le plus proche de chez vous.

Comment commencer à démêler ses affaires

Avec un peu de préparation, les choses pourront se régler plus facilement. Prenez le temps de regarder la liste ci-dessous avant de vous attaquer à votre problème.

- Définissez votre problème avant de prendre contact avec qui que ce soit. Sachez bien ce que vous voulez.
- Si vous le pouvez, notez par écrit ce dont vous avez besoin et ce que vous voulez savoir avant de prendre contact avec qui que ce soit. De cette façon, vous pourrez couvrir tous vos problèmes sans rien oublier lorsque vous exposerez la situation.
- Trouvez qui est responsable. Trouvez qui a pris la décision. Trouvez le nom et le titre de cette personne. Appelez l'organisme ou le ministère ou un centre d'information communautaire, ou notre bureau pour commencer.
- Appelez la personne responsable de votre affaire. Présentez-vous et expliquez votre problème. Demandez à qui vous êtes en train de parler. Demandez ce qu'il faut faire. Demandez si l'on peut vous aider à faire appel ou à demander une révision de la décision. Si l'on refuse de vous aider, demandez à qui vous pouvez vous adresser.
- Renseignez-vous sur le processus de prise de décision. Renseignez-vous sur les politiques qui s'appliquent à votre cas et sur les personnes qui en sont responsables. Cherchez à savoir combien de temps il faut pour résoudre votre type de problème.
- Si vous ne comprenez pas ce qu'on vous dit, demandez des explications.
- Prenez des notes. Gardez les lettres. Faites des copies de tout ce que vous envoyez. La plupart des bibliothèques publiques ont des photocopieuses.
- Échangez les renseignements que vous avez obtenus. Parlez à d'autres personnes dans le même cas que vous.
- Soyez poli. Soyez patient. Soyez tenace.
- Adressez-vous au bureau de votre député. L'intervention d'un député peut souvent accélérer les choses.

- Il existe deux bonnes sources d'informations sur les services, les programmes et les fonctionnaires du gouvernement, à savoir: **Les services offerts au public** (par le gouvernement de l'Ontario) et **l'Annuaire téléphonique du gouvernement de l'Ontario**. Vous pouvez vous les procurer pour moins de 5 \$ à la Librairie du gouvernement de l'Ontario, 880, rue Bay, Toronto (Ontario) M7A 1N8.



Certains députés nouvellement élus ont récemment visité notre bureau pour se renseigner sur le rôle de l'Ombudsman. Contrairement à la plupart des autres agents publics, l'Ombudsman ne peut être nommé sans l'approbation de l'Assemblée législative à laquelle, au moins une fois par an, il adresse par l'intermédiaire du Président de l'Assemblée des rapports précis concernant ses actions. Ces rapports sont examinés par un comité de l'Assemblée, connu sous le nom de Comité permanent sur l'Ombudsman, et composé de membres de tous les partis politiques.

Les membres du Comité permanent sur l'Ombudsman sont: Cindy Nicholas, Président, Maurice Bossy, Doug Carrothers, Brian Charlton, Walt Elliot, James Henderson, Tony Lupusella, Keith MacDonald, Allan McLean, Ed Philip, Jim Pollock.

Community Relations Unit On The Go

More than a year ago, the Ombudsman established a Community Relations Unit, responsible for outreach and education in those parts of Ontario without a regional office.

Karen Wheeler McSweeney, Community Relations Coordinator, and Fern Tamaya, Community Relations Assistant, have responded to more than 300 requests for information on the Ombudsman's services since then.

The Unit has helped Dr. Hill carry out special initiatives to organized labour, elected representatives, multicultural groups, and ordinary Ontarians by distributing information, staffing displays and presenting workshops on the services of the Ombudsman.

Summer saw the Unit staff at the 5th Annual Community Information Bank at Queen Street Mental Health Centre; Bathurst Heights Secondary School; in St. Catharines for the 6th Annual Senior Citizens Information Day; Glendon College for the inaugural conference of the Canadian Union of Educational Workers; the CHIN summer picnic; Community Week at the Meadowvale Town Centre; Canadian Labour Congress Summer School in Barrie; Hamilton Interagency Forum; Oshawa Kiwanis and the Canadian Auto Workers retirees in Oakville.



The Ontario library system helped the Ombudsman by distributing over 2000 flyers on his regional services throughout the public library system.

In the works this fall are a number of displays and "Learn About Your Ombudsman" events in co-operation with municipal administrations, and the third day-long workshop in the Ombudsman educational series. The workshop will focus on women's issues.

Ombudsman Visiting Correctional Institutions

In October, the Ombudsman visited Mimco Correctional Centre as part of his on-going commitment to visit personally the correctional institutions in Ontario. Mimico has the province's largest population serving intermittent sentences and participating in temporary absence and work programs. Dr. Hill has already visited Guelph Correctional Centre, Ottawa-Carleton Detention Centre, Maplehurst Complex, and the Barrie and Kenora Jail. More than one-third of all jurisdictional complaints received by our Office come from correctional institutions.

"I see these visits as an important part of my mandate as Ombudsman. We can't expect incarcerated people to respect the rights of others after they are released unless we ensure their rights are also protected while they are in custody," said Dr. Hill.

Regional Services

Our Regional Services team joins the Ombudsman and Executive Director during a recent training session in Toronto. From left, Eleanor Meslin, Exec. Director, Carol Blight, Regional Information Officer, Kenora, Jacqueline Yuen, Field Officer, London, David Sora, Supervisor, Field Services; second row, Harry Shankowsky, District Officer, Kenora, Josie Nasir, Secretary, Regional Services, Mary Lou Iahtail, Northern Native Programme Officer, Elise Depocas, Regional Information Officer, Ottawa, Inez Knudson, Acting District Officer, Thunder Bay; third row, Harvey Savage, Director, Regional Services, Dr. Hill, Ombudsman, Allan Pelletier, Native Programmes Officer, Johanna Bischoff, Field Officer, Sault Ste. Marie, Gail Pfaff, Regional Information Officer, Thunder Bay; top row, Klaas Bylsma, District Officer, Ottawa, Louise Richer, District Officer, Timmins, Patricia Burrows, Regional Information Officer, Pam Young, Field Officer, Windsor.

The Ombudsman Helped...

- an abused wife who had applied for an apartment with the Metropolitan Toronto Housing Authority. Because she was still living with her husband, she was not eligible for housing under the Authority's rules. Since there were no shelter vacancies, she remained with her husband although he continued to abuse her and the two children. Eight months later she left him and moved to a shelter with her children where they occupied one room.

She immediately applied for MTHA housing again, but did not receive an offer of placement for six months. As a result of our tentative recommendations, the OHC Board of Directors reviewed the issue and concluded that, in future, housing applicants who are victims of domestic violence should be given "priority status" for accommodation. Battered women and their children are now at the top of the Housing Authority waiting list.

- a couple who had signed a lease with the Ministry of Government Services agreeing to pay rent and year-to-year property tax increases for a farm. Unable to continue farming after the woman suffered a serious stroke and the man suffered three heart attacks, the couple settled the lease with the belief that they owed no other money. Several months later, a collection agency employed by the Ministry persistently attempted to collect back taxes of \$176.46. After inquiries from our Office, the Ministry agreed to cease collection attempts and absorb the payment of the taxes.

- a worker who suffered a serious head injury when he slipped off a bench. A cerebral concussion was diagnosed and it became apparent that a complex psychological component was involved in the disability. The W.C.B. denied the worker benefits for his condition as being related to his injury. In September of 1985, the Ombudsman submitted a recommendation to the Board that the claim be allowed.

After further psychiatric evaluation, the Board advised this Office in September, 1986, that the worker would be granted a 75 per cent pension for his disability. Further supplementary benefits would also be paid to him because of his inability to work. The worker has received a cheque paying him retroactively to 1982 in the amount of \$59,624.51. He will continue to receive a monthly pension of \$1,142.51.

- a worker who objected to a Workers' Compensation Board decision which had denied her entitlement for a left hip disability. The woman believed her disability resulted from a knee injury she suffered at work in December 1981. There was medical evidence that the injury aggravated the woman's pre-existing osteoarthritis. The Ombudsman sent a letter to the Board in September 1985. Seven months later, the Board responded that it disagreed with the Ombudsman's tentative conclusion and indicated that it would not reconsider its original decision. After obtaining some additional information from the worker's treating specialist, the Ombudsman issued a report in support of her claim. On the strength of this new evidence, the Board accepted the Ombudsman's recommendation and granted entitlement. The worker received \$44,524.94 in retroactive compensation. The Board also took it upon itself to review the latest medical information to determine further entitlement to benefits.

(cont.'d p.8)



Staff members and "Gryphon" look-alike participate in Ontario Government Employees kick-off parade at Queen's Park for United Appeal Campaign.



How to Contact the Ombudsman



Write, telephone, or visit:
(collect calls accepted)
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario M5S 2C7
(416) 586-3300 (24 hours)

Toll free Number: 1-800-263-1830

REGIONAL LOCATIONS

For the locations listed below, collect calls are accepted during office hours.

Kenora District Officer
Office of the Ombudsman
223 First Street South
Kenora, Ontario
P9N 1C2
(807) 468-3091
(M - F: 8-4)

London Field Officer
Office of the Ombudsman
P.O. Box 1019, Station "B"
London, Ontario
N6A 5K1
(519) 432-1117
(T - F: 9-5)

North Bay Field Officer
Office of the Ombudsman
P.O. Box 508
North Bay, Ontario
P1B 8V1
(705) 476-5800

Ottawa District Officer
Office of the Ombudsman
#702, 151 Slater Street
Ottawa, Ontario
K1P 5H3
(613) 234-6421
(M - F: 9-5)

Sault Ste. Marie Field Officer
Office of the Ombudsman
P.O. Box 723
Sault Ste. Marie, Ontario
P6A 5N3
(705) 759-2871
(T - F: 9-5)

Thunder Bay District Officer
Office of the Ombudsman
213 Red River Road
Thunder Bay, Ontario
P7B 1A5
(807) 345-9235
(M - F: 9-5)

Timmins District Officer
Office of the Ombudsman
30 - 32 Balsam Street South
Timmins, Ontario
P4N 2C6
(705) 268-2161
(M - F: 9-5)

Windsor Field Officer
Office of the Ombudsman
1695 University Ave. West
Unit B (United Way
Centraid Building)
Windsor, Ontario
N9B 1C3
(519) 977-8006 (T - F: 9-5)

Our multilingual staff communicate in 21 languages including:

Amharic	Filipino	Polish
Cree	French	Portuguese
Croatian	German	Russian
Czech	Hebrew	Slovak
Dutch	Italian	Spanish
Estonian	Macedonian	Ukrainian
English	Oji-Cree	Yiddish

If you are an inmate or patient in a provincial institution, your letters to and from the Ombudsman will not be opened by the authorities.

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The Office of the Ombudsman of Ontario

Editor: Milan Then

Assistant

Editors: Karen Wheeler McSweeney,
Christine Martin

Photos and comments are always welcome. Please write to:

Equal Times
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
M5S 2C7

(The Ombudsman Helped... cont.'d from page 7)

- a complainant who alleged that she was assaulted by members of a Regional Police Force. She complained to the Citizen Complaint Bureau of the Force which concluded that her complaint was unfounded. She appealed that decision to the Board of Police Commissioners and, because the Board agreed with the Bureau's findings, she brought the matter to the Ontario Police Commission. The Commission found that concerns about certain procedural matters had since been rectified and decided that no further action was necessary. The complainant was dissatisfied with the Commission's response. After an investigation a letter was sent to the Commission recommending that the matter be sent back to the Complaint Bureau for a thorough investigation. The Commission decided to go further and hold a hearing where evidence will be given under oath. The complainant was delighted with the result.

- a former cook at one of Ontario's Institutional facilities who had complained that the Superintendent refused to authorize payment of his wages for a three week period prior to his resignation during which he was absent from work due to illness. As a result of our investigation and subsequent negotiations with the Regional Director, the complainant was paid the full amount owing him.

- a person who suffered a stroke in the fall of 1985. Her recovery was rapid and in early 1986 she underwent a series of tests to determine whether she was able to drive safely. The results indicated that her driving ability was not impaired. Nevertheless, the Ministry of Transportation and Communications requested that she take a three part driving test in order to retain her driver's licence. In view of the previous test results, she felt that this was unfair. After the situation was discussed with the Ministry's Medical Review Section, the Ministry decided to withdraw its requirement for a new test.



Pam Young, Windsor Field Officer, with Dr. Hill in front of new store-front location in Windsor.



EQUAL TIMES

OMBUDSMAN/ONTARIO NEWSLETTER

Vol. 6, 1988

ISSN 0833 1499

Standing Committee Considers Expanding Ombudsman's Jurisdiction



Cindy Nicholas, (centre), MPP for Scarborough Centre and Chairman of the Standing Committee on the Ombudsman, meets Dr. Hill, Ontario Ombudsman and Eleanor Meslin, Executive Director.



When a government agency refuses to implement the Ombudsman's recommendation, the case is heard by the all-party Standing Committee on the Ombudsman. The Members on the Committee are: Cindy Nicholas, Chairman, Maurice Bossy, Vice Chairman, Douglas Carrothers, Brian Charlton, Don Cousens, James Henderson, Linda LeBourdais, Tony Lupusella, Keith MacDonald, Ed Philip and Jim Pollock.

Should the Ontario Ombudsman have the power to investigate complaints against the actions and decisions of Public Hospitals, Children's Aid Societies and the Ontario New Home Warranty Plan?

The Standing Committee on the Ombudsman is presently considering this question. The Committee's decision will have an impact on this Office and all Ontarians.

The Ontario Ombudsman's jurisdiction has not changed since this Office began in 1975. We have received hundreds of complaints against Public Hospitals and Children's Aid Societies but have been powerless to help directly the complainants involved.

These agencies stand outside the Ombudsman's jurisdiction because technically they are not "governmental organizations" within the meaning of the *Ombudsman Act*. In other provinces the Ombudsman can investigate complaints against these agencies.

Two years ago Dr. Hill, at the Committee's request, submitted a position paper suggesting the three agencies be considered for addition to our jurisdiction.

As a result, the Committee conducted public hearings on this matter during the past summer. Submissions from government, interested individuals and organizations were received from across the province. Once these are considered the Committee will issue a report and possible recommendations.

Ombudsman Office in Sudbury

Local community and government representatives turned out in force on September 22 to hear Ontario Ombudsman, Dr. Daniel G. Hill, announce that Sudbury will be the next location for a District Office.

(cont'd page 6)

*Lecteurs français
voir à la page 4.*

Feedback... Citizen's Comments

I am writing this letter to express my deep appreciation to the Ombudsman. Four years ago Worker's Compensation told me I did not have "whitehands" — at that time I didn't appeal. But by 1986 my hands were much worse, so I went back to another Specialist who did verify that I did in fact have White Hands Syndrome.

Compensation still denied my claim. After repeated times going to the Union and getting no results, I decided I would see if the Ombudsman would help me fight them. I called your Sault Ste. Marie Office at 4:00 p.m. one evening and spoke to a very nice lady who assured me I did have a case and that she would get back to me. By 4:00 p.m. the next day Compensation had accepted my claim, but the fight wasn't over. I had to fight for everything, travelling expense, lost wages, bonus, not to mention Lump Sum Settlement.

Your Office advise me to go through proper channels, which I did. After months they still would not answer my calls or letters. They were sending me a pension of less than \$100.00 per month, and no matter what I did they wouldn't change it.

Once again I called the Ombudsman. Well, within one week I received my travel expense plus lost wages. One week after that I received a Very Large Cheque. It was finally over, after 4½ years, thanks to the Ombudsman. I cannot express or tell you how much it means to me to know that the little guy has a chance to fight the system when you have such a worthwhile group of people who understand and are willing to fight on your behalf.

Living in Northern Ontario isn't easy because we are so far away from so many organizations. So all I can say is thank God we have an Ombudsman Office as close as Sault Ste. Marie.

Thank you again for thinking of us in the north.

Sincerely,

Mr. M. — from Elliot Lake

Thank you for taking the time to write. - ED

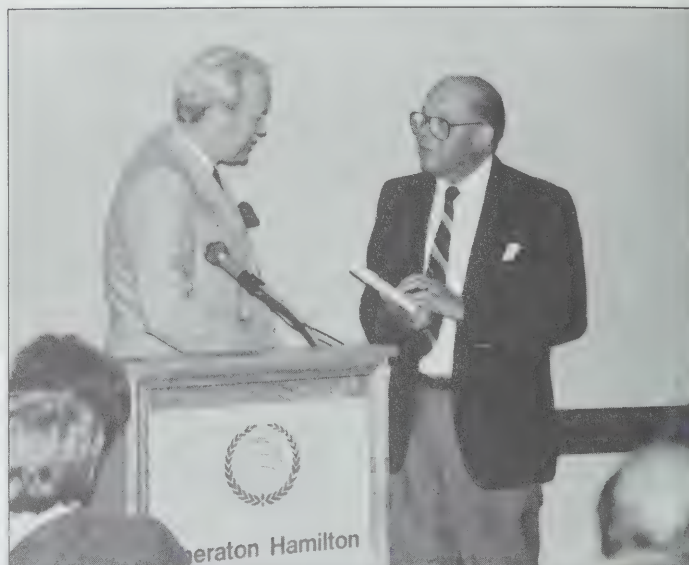
About our Name

Over the years we've been called a lot of things. Mail has arrived addressed to the Almsman, the Ambushman, the Bombsman, the Omnibus for Ontario, to mention a few.

Ombudsman (the accent is on the second syllable) is the shortened form of the Swedish word *justitieombudsman* meaning people's agent for justice.

Although our name can be a tongue twister for some, we thank the Swedes for giving us a concept that has been embraced worldwide as a valuable protector of human rights.

Community Outreach In Hamilton



William Sears, Chairman of the Regional Municipality of Hamilton/Wentworth, welcomes the Ombudsman to Hamilton at a community luncheon last June. The luncheon was attended by local elected representatives, members of organized labour and multicultural groups, and leaders of social, religious and other community organizations. The event was part of an intensive week of education and outreach to ensure Hamiltonians consistent accessibility to the Ombudsman's services. Other events included information displays, a tour of local facilities under the Ombudsman's jurisdiction and visits to Native organizations.

Below, a capacity crowd attended a community reception at the Hamilton and District Multicultural Centre to discuss concerns the Ombudsman may be able to address with special emphasis on ethnocultural issues.



Ombudsman's Remarks

The Ombudsman has become a vital institution in this province. In my recent Annual Report I was pleased to state we were able to help more people last year than ever before in our history. The more than 21,000 complaints and information requests handled by this Office was an all-time high.

I am also pleased to report that Northern Ontario was a big beneficiary because of our efforts. Elsewhere in this issue you will read that potentially all Northerners can now have access to the Northern Health Travel Grant Program for medical services.

Also, a new District Office in Sudbury will join our other offices in North Bay, Timmins, Sault Ste. Marie, Thunder Bay, Kenora, Ottawa, Windsor and London to make the Ombudsman's services even more accessible to area residents.

Other developments are also strengthening the Ombudsman's mandate to protect the people's right to fair treatment from government. For example, the Standing Committee on the Ombudsman is presently considering the expansion of the Ombudsman's jurisdiction to include Public Hospitals, Children's Aid Societies and the Ontario New Home Warranty Plan.

Recently I called on the government to bring forward proposed amendments to the Ombudsman Act. These amendments would permit the government to make monetary payments to people who have suffered a loss as a result of government action, would allow government organizations to reconsider their decisions where their current legislation does not, and would require the Ombudsman to conduct educational programs to better inform the public about his responsibilities.

As you can see the Ombudsman is alive and well in Ontario. Since 1967, Ombudsman Offices have become fully established in nine provinces and the federal government has created specialized Ombudsman functions for penitentiaries, privacy, freedom of information and official languages. On the international

scene, national Ombudsmen function in more than 30 countries. The popularity of the Ombudsman concept is simple to explain. People expect and deserve to be treated fairly and justly by public officials. The Ombudsman has proven to be an effective remedy against maladministration.

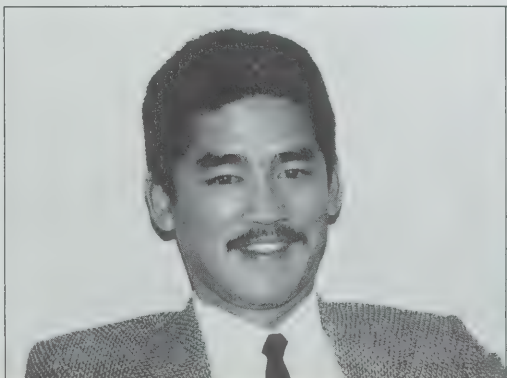
Unfortunately and embarrassingly, Canada has not established a federal Ombudsman's Office, although the need is clear. As the Ombudsman of Ontario I am constantly confronted by complaints from the public against the federal bureaucracy. In the past year I received a total of 1,232 complaints about some act or decision of the federal government. While we make every effort to refer people with complaints of a federal nature I am convinced there is a glaring need for a federal Ombudsman. Matters concerning postal service, immigration, unemployment insurance, old age pensions, income tax, public works are all under federal jurisdiction.

But the area that gives me the greatest concern and reflects the greatest need for a federal Ombudsman is the multiple and diverse complaints received from Canada's aboriginal people. An Ombudsman who can intercede between them and the federal government is sorely and sadly missed.

The human rights of Canadians in relation to provincial governments are well protected by provincial Ombudsmen. There is no rational or logical reason why the human rights of Canadians should not receive the same protection from a federal Ombudsman.



Daniel G. Hill



Senior Appointment

David Sora was recently promoted to the position of Manager, Regional Services. Prior to this appointment David held the position of Supervisor, Field Services. A University of Toronto graduate, David was employed as an Immigration Settlement Counsellor with Canada Immigration before he joined the Office of the Ombudsman in 1984.

Création d'un bureau

Le 22 septembre dernier, l'ombudsman a annoncé à la population de Sudbury la création d'un bureau de district qui desservira cette région. Le bureau ouvrira ses portes aussitôt que l'on pourra recruter une personne bilingue qualifiée pour remplir le poste d'agent(e). Les observations qui suivent, qui expliquent le rôle et les fonctions de l'ombudsman, sont tirées de l'allocution prononcée par M. Hill lors de cette annonce.

En préparant ma visite à Sudbury, j'ai eu le plaisir de constater que votre ville était ouverte à la diversité ethnique. L'Association multiculturelle et folklorique de Sudbury compte près de 40 groupes, dont quelques-uns sont représentés ici. En plus des descendants des peuples autochtones du Canada, qui ont enseigné aux explorateurs les connaissances nécessaires à leur survie, votre région compte des résidents dont les ancêtres sont venus de France, d'Angleterre, d'Asie, d'Europe de l'Est, d'Europe de l'Ouest et de la Scandinavie — ainsi qu'une importante communauté noire.

Sudbury est une ville où les gens se connaissent et se préoccupent les uns des autres. La vitalité de ses services et de ses réseaux de bénévoles en est la preuve, tout comme l'est la présence ici ce soir des personnes oeuvrant au sein du gouvernement, du monde des affaires ou de la collectivité, afin de conserver cet esprit d'entraide et de bon voisinage.

Je profite de l'occasion qui m'est donnée ce soir pour vous parler de ma fonction comme ombudsman de l'Ontario.

L'ombudsman joue un rôle essentiel. Le droit de déposer des plaintes, le droit de se faire entendre, ainsi que le droit de réparation d'un tort que l'on a subi suite à un acte arbitraire et injuste du gouvernement sont des droits fondamentaux de la personne.

Le tout premier ombudsman a été nommé en Suède au début du XIX^e siècle. Le mot suédois "ombudsman" signifie "protecteur des citoyens".

La principale fonction d'un ombudsman est de mener une enquête sur les plaintes de mauvaise administration au nom de citoyens lésés et de recommander les mesures de redressement appropriées à l'organisme gouvernemental en cause.

Ma compétence s'étend sur plus de 500 ministères, conseils, commissions et tribunaux régis par le gouvernement de l'Ontario. Ces organismes gouvernementaux ont à leur emploi plus de 80 000 fonctionnaires. Chaque jour, les décisions et les mesures prises par ces employés ont un effet, d'une façon ou d'une autre, sur les Ontariens.

Si une décision est erronée, ou si elle est fondée sur des renseignements inexacts, une personne ordinaire

n'a souvent aucun moyen simple d'obtenir justice.

Lorsqu'une personne contacte le Bureau de l'ombudsman, elle a d'abord un entretien avec un membre du personnel. Nous devons ensuite déterminer si la plainte déposée est de mon ressort. Si la plainte déposée ne relève pas de mon mandat, s'il s'agit par exemple d'une plainte contre une société privée, le gouvernement fédéral ou une administration municipale, nous dirigeons la personne vers un service ou organisme qui sera plus en mesure de lui venir en aide.

Si la plainte est de mon ressort, nous donnons à l'organisme gouvernemental concerné l'occasion d'y répondre.

Si les deux parties ne peuvent en venir à une entente, la personne chargée de l'enquête réunira les documents pertinents, interrogera les témoins, consultera notre avocat sur les aspects juridiques et prendra toutes les mesures nécessaires pour recueillir tous les renseignements pertinents. C'est en me fondant sur ces données factuelles que je ferai mes recommandations, s'il y a lieu.

Selon les données de l'affaire, il se peut que je donne raison à la personne qui a déposé la plainte ou à l'organisme gouvernemental. Il arrive souvent que les organismes gouvernementaux soient mis en cause sans fondement et c'est mon rôle de les protéger aussi!

Nous savons qu'un grand nombre de personnes fort consciencieuses travaillent dans la fonction publique et que la majorité des décisions prises par les organismes gouvernementaux sont judicieuses. Si tel est le cas, nous l'affirmons sans équivoque.

Mais si une personne, même une seule, voit ses droits lésés de façon arbitraire par une administration gouvernementale, c'est une personne lésée de trop. Et, malheureusement, il y a eu bien des cas où cela s'est produit. Laissez-moi vous donner un exemple récent.

Le Bureau de l'ombudsman a reçu plus de 20 000 demandes d'aide; l'une de ces demandes a été faite par une veuve qui tentait de percevoir de la Commission du régime de retraite des enseignants les prestations de retraite qui lui étaient dues.

Son mari avait été enseignant pendant une courte période au cours de ses années de travail. Au moment de sa retraite, il n'avait pas fait de demande de pension au régime auquel il avait cotisé. Notre plaignante, sa veuve, a tenté de percevoir ces prestations. La Commission du régime de retraite des enseignants a refusé sa demande en invoquant le fait que son mari n'avait pas fait de demande de pension avant sa mort et qu'elle ne pouvait pas le faire maintenant. Selon l'interprétation d'un article de la Loi par la Commission, la plaignante ne pouvait demander la pension due

e district à Sudbury

à son mari en raison du fait qu'elle n'était pas une cotisante du fonds, ni un comité ou une personne ayant une procuration. La Commission présenta également un argument selon lequel sa responsabilité quant au versement de la pension avait pris fin au décès du cotisant. Le Fonds ne pouvait calculer le coût des prestations s'il n'y avait pas eu de demande.

J'ai jugé que la décision de la Commission dans ce cas n'était pas justifiée et j'ai recommandé que la Commission verse la pension qui était due. Finalement, la Commission a accepté ma conclusion et ma recommandation. J'ai reçu récemment un mot de remerciement de la part de la plaignante, qui m'informait que la Commission lui avait enfin versé un montant global substantiel.

Il s'agit là d'un seul exemple parmi des centaines où mes recommandations ont poussé le gouvernement provincial à modifier ses lois et règlements ou à offrir aux plaignants une compensation financière.

Il est toutefois ironique que, l'ombudsman ayant pour seul mandat de servir le public, tant de personnes en Ontario ne connaissent pas l'existence du Bureau de l'ombudsman. Lorsque je devins ombudsman, j'ai décidé de remédier à cette situation en lançant un programme énergique d'éducation du public et de rayonnement dans les régions.

Mais il ne suffit pas de faire savoir que le Bureau de l'ombudsman existe; nos services doivent aussi être accessibles à tous les Ontariens et tout particulièrement aux nouveaux Ontariens, cette communauté multilingue, multiculturelle et multiraciale. Comme nous le savons tous, le siècle qui a suivi la Confédération a vu les caractéristiques ethniques de la population canadienne se diversifier sans cesse.

Cette diversité de la société exige de mon Bureau qu'il soit efficace parce qu'il fait partie du réseau qui peut attirer l'attention des Ontariens en général, des administrations publiques et des personnes qui ont la responsabilité du bien-être de la collectivité, sur des questions sociales d'une importance cruciale.

Des questions fondamentales comme l'égalité des chances, le partage des richesses matérielles de l'Ontario, l'accès aux services publics, ainsi que le degré et les effets de la discrimination dans notre province sont quelques-unes de ces importantes questions sociales.

Je considère qu'une partie de mon rôle est d'aider à assurer que les institutions publiques reflètent davantage notre diversité culturelle. L'avenir que les Ontariens auront en partage doit appartenir à tous les Ontariens et se fonder sur l'égalité des chances pour tous.

Et parce que les bonnes intentions ne valent pas grand chose si on ne les met pas en pratique, j'ai mis en oeuvre un programme d'action positive au Bureau de l'ombudsman.

Ce programme assure que ceux qui ont été victimes de discrimination dans le processus d'embauche — même si cela n'était pas voulu — auront la possibilité de travailler au Bureau de l'ombudsman.

Je rends également visite aux organismes autochtones de la province pour expliquer ce que mon Bureau peut et ne peut pas faire pour redresser les torts qui ont été faits aux peuples autochtones. Bien sûr, mes efforts pour sensibiliser le gouvernement aux questions autochtones sont limités par le fait que je n'ai aucune autorité sur un grand nombre de programmes gouvernementaux qui touchent la vie de ces peuples; cela met en lumière la nécessité d'avoir un ombudsman fédéral, un homologue fédéral qui aurait pour mandat d'enquêter sur les mesures administratives prises par les organismes du gouvernement fédéral.

Mais dans mon bout de pays — l'Ontario, avec ses neuf millions d'habitants répartis sur plus d'un million de milles carrés — je fais tout en mon pouvoir pour que mon message rejoigne tous ceux qui ont besoin des ressources du Bureau, tout particulièrement les membres de notre société qui sont sous-représentés dans les corridors du pouvoir.

En 1985, j'ai annoncé à Windsor que je nommais une personne pour représenter l'ombudsman dans cette collectivité — une personne disponible, connaissant bien les problèmes de la région, sensible aux besoins locaux et établie *sur place*. En 1986, j'ai fait la même annonce à London et à Sault Ste. Marie.

Je suis ici pour offrir le même service à la population de Sudbury et des localités environnantes. L'agent ou agente pour votre région devra organiser les programmes d'éducation communautaire et de rayonnement dans les localités, recueillir les renseignements et recevoir les plaintes, présenter les plaintes reçues à nos enquêteurs à Toronto et diriger les gens vers les ressources communautaires disponibles. Il ou elle aidera à rendre votre collectivité plus à même de faire face aux besoins de ses membres en difficulté.

Une société juste ne peut se créer simplement en élaborant des théories et en étudiant les injustices qui se produisent autour de nous. L'expansion des services que je vous annonce n'est pas une théorie, mais un pas concret dans la voie de la dignité et du respect des droits. Tout comme moi, le personnel du Bureau de l'ombudsman a bien hâte de collaborer avec vous.

Ombudsman Staff Workshop In Fredericton

Fredericton was the site of the 3rd Canadian Ombudsman Staff Workshop held in early July and hosted by the New Brunswick Ombudsman's Office.

Following successful conferences held in Toronto and Vancouver, more than 40 Ombudsman Investigators and other staff members from across Canada participated in the three day action packed agenda.

Investigating complaints is the essence of the Ombudsman's process and was the main focus of the Workshop organized by Charles Ferris, Solicitor to the Ombudsman of New Brunswick. Discussion topics ranged from investigative techniques to such critical issues as case load management, medical and professional evidence, stress and accountability.

The Ontario Office was represented by Dale Bryant, Larry Brookwell, Judy Hoffman, Martha Keil, Phyllis McCollin, Faye Rogers, Tom Skene and Karen Wheeler.

Martha Keil, Assistant Director of Investigations, Labour and Psychiatric Institutions, summed up the event. "The opportunity to enhance skills, meet our counterparts, share and compare experiences is invaluable for our day to day work. It's an energizing experience to be able to talk about what we do as a change from just doing what we do."

Edmonton was named as the location for next year's Workshop.

(Sudbury . . . cont'd from page 1)

The scene was a community reception hosted by the Ombudsman at the Sheraton Caswell Inn in Sudbury and attended by 200 people. The announcement capped an intensive week of local community outreach and public education events to explain the Ombudsman's role and function.

The Ombudsman and staff members met with media representatives, local organizations such as the Sudbury and District Labour Council, the N'Swakamok Friendship Centre, Science North, Participation Project, and a number of community leaders. These included MPP Sterling Campbell, and Mayors Frank Mazzuca of Capreol, Stan Hayduk of Nickel Centre, Tom Wong of Sudbury, John Y. Robert of Valley East and Charles White of Walden.

In keeping with his promise to make this Office more accessible to all Ontario residents, the Ombudsman stated that the District Office will be in operation as soon as the necessary staff can be recruited.

"The Sudbury staff will be responsible for community education and outreach, information gathering, complaint intake, and referrals to local community resources. I am confident our Sudbury Office will strengthen this community's ability to respond to its residents when they are troubled and in trouble", said Dr. Hill.



(photo/MacEachern, Standard Freeholder)

Allan Pelletier, (left), Native Programs Officer, explains the Ombudsman's role and function to Mohawk Council of Akwesasne members Chief Mike Mitchell, health officer Henry Lickers and Lloyd Benedict who holds the justice portfolio. Because the Mohawk Territory of Akwesasne, near Cornwall, borders Quebec and the United States, it interacts with five jurisdictions — Ontario, Quebec, New York State and the federal governments of Canada and the U.S. To date, our staff has visited more than 100 First Nations across Ontario.

The Ombudsman Helped...

- potentially all Northern Ontario residents as a result of three recent investigations we completed dealing with the Northern Health Travel Grant Program. The complainants included a blind senior citizen, an open-heart surgery patient and a woman requiring a hip replacement. They needed to travel to southern Ontario medical centres for treatment, but because of their conditions were unable to travel alone. They were excluded from companion travel grants because the legislation limited eligibility to those under 18 years of age. The Standing Committee on the Ombudsman supported our position that the legislation was improperly discriminatory and in violation of the Charter of Rights and Freedoms. As a result the Ministry of Health has agreed to remove the age restriction and make companion travel grants available on the basis of the medical condition and not the age of the applicants.
- a widow attempting to collect unpaid pension benefits from the Teachers' Superannuation Commission. Her husband had been a teacher. Once he retired, he did not apply for the pension to which he had contributed. Our complainant, his widow, attempted to collect his benefit. The Teachers' Superannuation Commission denied her request on the grounds that her former husband had not applied for the pension before his death and she could not do so now. The Commission was interpreting a section of its Act in such a way that barred her from applying for her husband's benefits

(cont'd page 8)

Ethnocultural Conference In Toronto



Gail Morrison, Director of Investigations, explains the Ombudsman's mandate to delegates attending the Ombudsman's first Ethnocultural Conference in Toronto last May. The Conference was part of the Ombudsman's outreach initiative to address ethnocultural issues in Ontario. More than 80 government and community organization representatives from across Ontario participated in the one day event. Key topics discussed included housing, social benefits, employment and human rights violations.



Ombudsman reps., (in costume), Alison Irons, Lucille Chiasson and Penny Cummings staff our baby boutique at the Ontario Government Employees United Way Campaign kick-off event at Queen's Park.

Below, (left), Raj Anand, Chief Commissioner, Ontario Human Rights Commission, Michael Zacks, General Counsel to the Ombudsman and Michel Pitre from the Canadian Human Rights Commission, field questions from Conference delegates.



How to Contact the Ombudsman



HEAD OFFICE

125 Queen's Park
Toronto, Ontario M5S 2C7
Local Calls Only: (416) 586-3300
English Toll Free: 1-800-263-1830
Interurbain gratuit: 1-800-387-2620
Office Hours: Monday-Friday,
9:00 a.m.-5:00 p.m.
24-hour, 7 day-a-week, telephone service.

REGIONAL LOCATIONS

For the locations listed below, collect calls are accepted during office hours.

Kenora District Officer
Office of the Ombudsman
223 First Street South
Kenora, Ontario
P9N 1C2
(807) 468-3091
(M - F: 8-4)

Sault Ste. Marie Field Officer
Office of the Ombudsman
500 Bay Street
Sault Ste. Marie, Ontario
P6A 1X5
(705) 759-2871
(T - F: 9-5)

London Field Officer
Office of the Ombudsman
London Urban Resource Centre
388 Dundas Street
2nd Floor
London, Ontario
N6B 1V7
(519) 432-1117
(T - F: 9-5)

Thunder Bay District Officer
Office of the Ombudsman
213 Red River Road
Thunder Bay, Ontario
P7B 1A5
(807) 345-9235
(M - F: 9-5)

North Bay Field Officer
Office of the Ombudsman
P.O. Box 508
North Bay, Ontario
P1B 8J1
(705) 476-5800
(M - F: 9-5)

Timmins District Officer
Office of the Ombudsman
30 - 32 Balsam Street South
Timmins, Ontario
P4N 2C6
(705) 268-2161
(M - F: 9-5)

Ottawa District Officer
Office of the Ombudsman
#702, 151 Slater Street
Ottawa, Ontario
K1P 5H3
(613) 234-6421
(M - F: 9-5)

Windsor Field Officer
Office of the Ombudsman
1695 University Ave. West
Unit F (United Way
Centraide Building)
Windsor, Ontario
N9B 1C3
(519) 977-8006 (T - F: 9-5)

If you are an inmate or patient in a provincial institution, your letters to and from the Ombudsman will not be opened by the authorities.

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Contributors: Karen Wheeler
Margaret Walcott

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125 Queen's Park
Toronto, Ontario
M5S 2C7

(The Ombudsman Helped . . . cont'd from page 7)

because she was not a contributor to the Fund, a committee, or someone with power of attorney. The Commission also argued that its responsibility for the payment of pension benefits ceased upon the death of the contributor. The Fund could not calculate the cost of benefits where no application had been made.

Ultimately, the Commission accepted the Ombudsman's recommendation that payment be made and we recently received a note of thanks from the complaint stating she had received a substantial lump sum payment from the Commission.

- a Native couple with four children move into subsidized Ontario Housing without delay with the cooperation of the local housing authority. After being on the waiting list for a very long time they learned the Housing Authority would not let them move into their four-bedroom house until the appliances the family purchased could be delivered many weeks later. Under the circumstances we contacted the Housing Authority which agreed to lend them appliances until theirs were delivered, so that they could move in immediately.
- a truck driver whose livelihood was threatened when the Ministry of Transportation changed the vision standards for class D licences. Our complainant had a slight visual disability, but when the licence system regulations were amended to give those with medical disabilities a chance to prove their health did not impair their safe driving ability, the amendments did not include the visually impaired. At our request the Ministry reviewed his driving record and experience, and medical and vision reports. As a result the Ministry waived the vision-standard requirements and the man qualified for his licence.



The Ombudsman is on hand at the Queen's Park station for the launching of our poster in the Metro subway system.

Busiest Year Ever for Ombudsman's Office

More people used the Ombudsman's Office to help cut through red tape in the last fiscal year than ever before in the history of the Office.

More than 24,000 complaints and enquiries were processed by 90 complaint handlers and support staff.

The largest numbers of complaints and enquiries involved correctional services, social benefits, psychiatric institutions, health, labour, education and pension matters.

From its inception in 1975, more than 150,000 complaints and enquiries have been dealt with by the Office.

The Ombudsman is an impartial officer of the legislature. After all appeal rights have been exhausted the Ombudsman can investigate complaints against the

actions of officials of the more than 500 Ontario government agencies. If the Ombudsman finds these actions to be unfair, unjust, illegal, or just plain wrong, he/she can recommend an appropriate remedy.

It is up to the government agency to implement the Ombudsman's recommendations. In those cases where the agency refuses to implement the Ombudsman's recommendations the Ombudsman sends a copy of his report to the Premier and then to the Legislative Assembly where the recommendations are considered by the all-party Standing Committee on the Ombudsman.

Later this September the Standing Committee will meet to consider a number of cases where the government agency was unwilling to carry out the Ombudsman's recommendations.

Permanent Ombudsman Announcement Expected

Ontario has been without a permanent Ombudsman since March of this year when Dr. Daniel G. Hill retired after a five year term.

Eleanor Meslin, former Executive Director, has held the position as Temporary Ombudsman in the interim.

A permanent appointment is determined by the Lieutenant-Governor-in-Council on the address of the Assembly. All previous permanent appointments — Dr. Hill, the Honourable Donald Morand, and the late Arthur Maloney — enjoyed the unanimous approval of the Legislative Assembly.

As the Temporary Ombudsman's term is now expiring, an announcement is expected in the near future.



*Eleanor Meslin, Temporary Ombudsman
(see interview on page 3)*

*Lecteurs français
voir à la page 4.*

Regional Services Strengthened

The Ombudsman's plans to provide reasonable access to Ombudsman services, particularly to the residents of Northern Ontario, are progressing within our Regional Services team.

Last fall we relocated the Sault Ste. Marie office from the confines of a house, into a more visible storefront operation in the downtown core.

Similarly, the London office, which was located on the second floor of a building, was relocated to a separate ground level storefront location in January.

The relocation of both offices reflects an attempt to become more visible and, therefore, more accessible to the

local communities. At present, plans are in the works for relocating the North Bay and Windsor offices.

Our new Sudbury office was officially opened in April and has received tremendous support from the community.

In Toronto the administrative structure within Regional Services has also undergone some changes. As a result, the regional program now operates under the direction of a manager and two supervisors. This more balanced structure permits more direct daily supervision and guidance in each region, thereby offering another means of improving service delivery throughout the province.

Regional Appointments

*Alison Irons,
Supervisor,
Regional Services.
Alison joined the
Office in 1987 as an
Investigator with
the Labour and
Psychiatric Team
after nine years
with the R.C.M.P.
She is bilingual and
supervises the
Ottawa, North Bay,
Timmins and
Sudbury offices.*



*Inez Knudson,
Supervisor,
Regional Services.
Previously, District
Officer in Thunder
Bay, Inez has been
with Regional
Services since its
inception ten years
ago. She supervises
the Kenora, Thunder
Bay, Sault Ste.
Marie, London
and Windsor
offices.*



*Diane Lauzon
District Officer,
Timmins*



*Rosemarie Blenkinsop
District Officer,
Sudbury*



*Mary Carl
District Officer,
Thunder Bay*

“...we are facing major challenges...”

The following excerpts are taken from an interview with Eleanor Meslin, Temporary Ombudsman, by Kim Goodman, summer student from the Ryerson Journalism program.

Q. *What makes a good Ombudsman?*

A. From my experience, a good staff makes a good Ombudsman. Certainly the Ombudsman must be someone who has earned a reputation for integrity and competence, but in a jurisdiction as large as Ontario's where thousands of complaints are received each year, the Ombudsman must have an excellent staff to do the job. When you appreciate the varied and complex tasks involved in investigating complaints against more than 500 government organizations you realize how essential it is to have a first rate staff. The high level of personal dedication and commitment shown by each staff member in the fulfillment of his or her duties is what allows the Ombudsman to maintain the highest standards in the delivery of Ombudsman's services to the public.

Q. *The Office has been around for 14 years now. Has it made a difference in the administration of justice in Ontario?*

A. I believe the Ombudsman has become an agent for justice in this province and a force to be reckoned with in public affairs. More than 150,000 people have used our services. If the Ombudsman didn't exist many of those people would have had nowhere else to go to resolve their complaint. Also, I believe our existence has improved the quality of public administration. Many laws, regulations, policies and procedures of government have been changed over the years because of our recommendations and I think public officials are even more careful in arriving at their decisions when they know they are subject to the Ombudsman's review.

Q. *How is the Ombudsman viewed by government? Do agencies cooperate with you or do they resent someone looking over their shoulder?*

A. I think the Ombudsman is highly regarded by government agencies. They know our investigations are very professional, very thorough and impartial. On this point I must say Ontario is fortunate to have an excellent public service. And that's borne out by the fact that in the majority

of cases our investigation vindicates the actions of the public officials involved. I think most government agencies more readily accept our presence because we serve to strengthen public confidence in the administration. Even in those cases where we find in favour of the complainant I don't believe the government resents our involvement. From my experience most government officials want the same thing the complainant wants and that is that justice be done.

Q. *Last year your Office handled more complaints and enquiries than ever before in its history. Is the bureaucracy getting worse or is it that your Office is getting better?*

A. I don't think the bureaucracy is getting worse but I do think we have become much better at letting the public know we exist and making our services more accessible. We now have regional representatives in nine major areas of the province and a fairly extensive public education program. We've certainly made more people aware of their right to complain and have their grievances addressed and more people are exercising this right.

Q. *You've been the CEO for five years. What shape is your organization in and what lies ahead?*

A. I think the Ombudsman's Office is in the best shape it's ever been. We've cut the time it takes to resolve complaints dramatically in the last five years. The creation of a management committee, an employee relations committee and a grievance procedure have really improved morale. And for the public this Office is more accessible now than ever. But we are facing major challenges. One involves ~~the proposed~~ amendments to the Ombudsman's Act. These have been outstanding for seven years and that's far too long. The other involves the recent court challenge to our jurisdiction. If the Attorney General's position, that the Ombudsman has no jurisdiction to investigate actions and decisions of public servants acting pursuant to Orders-in-Council, is upheld, the Ombudsman's function will be severely restricted. That, I think, would be an unfortunate step backward. [ED. See page 7, *Jurisdiction*]

L'Ombudsman nomme son premier Agent des services en français



Eleanor Meslin, Ombudsman intérimaire, nommait récemment Jean-François Berniquez au poste d'Agent des services en français. Dans l'exercice de ses fonctions, monsieur Berniquez agira à titre de conseiller sur les besoins de la population francophone de l'Ontario et veillera à ce que le Bureau de l'Ombudsman offre un service de qualité en vertu de la loi 8 sur les services en français. Jean-François sera aussi appelé à mettre en oeuvre une campagne d'information et de sensibilisation auprès des francophones de l'Ontario afin de les familiariser avec les services de l'Ombudsman.

Son implication active au sein de divers organismes franco-ontariens lui a permis de développer une certaine sensibilité aux besoins et aspirations de cette communauté. Sa formation en sociologie et en sciences politiques de pair avec son expérience au sein de la législature ontarienne sauront sûrement bien le servir dans ses fonctions.

Bienvenue Jean-François.

L'Ombudsman peut vous aider

Tous les jours, les quelques 80,000 employé(e)s du gouvernement de l'Ontario doivent prendre des décisions qui vous affectent directement ou indirectement. Dans la plupart des cas, elles sont équitables et raisonnables. Il arrive, toutefois, qu'une décision soit injuste, illégitime, contraire à la raison, fondée sur un malentendu ou tout simplement illogique. L'Ombudsman Ontario a été créé pour faire le point sur ces questions.

Vous trouverez chez l'Ombudsman un agent impartial prêt à vous aider à résoudre vos différends avec les ministères, organismes, conseils ou commissions du gouvernement de l'Ontario. Comme le stipule l'article 15 de la **Loi sur l'ombudsman**, ce dernier enquête sur les décisions, recommandations, actions ou omissions d'un organisme du gouvernement qui affectent un particulier ou un groupe de particuliers à ce titre. L'Ombudsman peut enquêter, soit à la suite d'une plainte qu'il reçoit de tout intéressé ou d'un député à l'Assemblée législative, soit de sa propre initiative.

Lorsque la plainte est reçue et que l'Ombudsman décide d'enquêter, les renseignements provenant du/de la plaignant(e) et de l'organisme gouvernemental en cause sont alors rassemblés. L'Ombudsman jouit de vastes pouvoirs en matière d'enquêtes et d'accès à l'information. Si l'Ombudsman est d'avis que la plainte présentée est corroborée par l'enquête menée, il fera alors un rapport de son opinion motivée à l'organisme gouvernemental intéressé et peut faire les recommandations appropriées.

Quelques rappels quant à nos services:

- 1) Le problème porté à l'attention de l'Ombudsman doit concerner un organisme du gouvernement de l'Ontario. L'Ombudsman n'a pas d'autorité à l'endroit des organismes des gouvernements fédéral et municipaux. Il ne peut examiner les causes entendues par les tribunaux ou leurs jugements. (N.B. certaines questions de juridiction fédérale ou municipale peuvent relever de l'Ombudsman si ces dernières sont liées aux politiques du gouvernement provincial).

- 2) L'Ombudsman ne peut faire enquête que lorsque tous les droits d'appel ont été épuisés ou que les dates limites pour faire appel sont déjà passées. Pour vous renseigner sur vos droits d'appel adressez-vous à votre député local, à l'organisme gouvernemental en cause, à une clinique communautaire d'aide juridique ou à l'Ombudsman Ontario.
- 3) L'Ombudsman ne peut que faire des recommandations aux ministères, agences ou commissions du gouvernement provincial. Il ne peut imposer les solutions proposées. S'il le juge nécessaire, il peut saisir le Premier ministre de l'Ontario ou l'Assemblée législative de la plainte en question.
- 4) Les enquêtes sont gratuites et confidentielles.

Si vous croyez que l'Ombudsman peut vous aider, n'hésitez pas à communiquer avec notre bureau chef à Toronto ou avec notre bureau régional le plus près de chez vous.

Vous pouvez aussi communiquer avec l'Ombudsman Ontario en composant, sans frais, le
1-800-387-2620

notre agent d'information bilingue se fera un plaisir de vous aider.

C'est facile! C'est gratuit! Servez-vous-en!



Le logotype de l'Ombudsman Ontario représente un griffon surmontant quatre reproductions du Trillium, emblème floral de l'Ontario.

Le griffon, qui symbolise souvent la loi, est un animal mythologique. Mi-lion, mi-aigle, le griffon symbolise la force et la diligence. Dans le symbolisme moderne, le griffon personnifie le défenseur des droits du citoyen.

Les quatre trilliums représentent l'histoire multiculturelle de l'Ontario:

- Un trillium pour nos autochtones
- Un trillium pour les gens d'origine française
- Un trillium pour ceux d'origine anglaise
- Un trillium pour toutes les autres cultures

Le logotype de l'Ombudsman Ontario représente donc la sauvegarde des droits et de l'intégrité culturelle de tous nos citoyens.

Les services en français, quelques notes!

La présence francophone en Ontario date de 1610 alors qu'Etienne Brûlé, jeune explorateur au service de Samuel de Champlain, fût le premier Européen à braver le territoire ontarien.

On compte aujourd'hui plus d'un demi-million de francophones en Ontario. Ceux-ci constituent ainsi le groupe le plus important de francophones hors-Québec.

Le 18 novembre 1986, l'Ontario vivait un moment historique alors que la loi 8 sur les services en français recevait l'appui unanime des trois partis représentés à l'Assemblée législative. La **Loi de 1986 sur les services en français** reconnaît l'apport historique des Franco-Ontariens(ne)s à leur province et souligne l'obligation qu'ont le gouvernement de l'Ontario et ses agences à offrir des services en français dans les régions désignées.

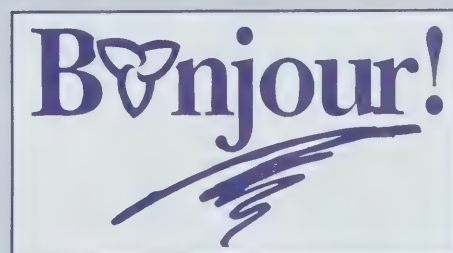
La loi 8 affermit ainsi l'engagement du gouvernement ontarien à améliorer la qualité et la quantité de ses services en français. Cette garantie législative entre en vigueur le 18 novembre prochain.

L'Office des affaires francophones dévoilait récemment le thème de sa campagne de sensibilisation à l'entrée en vigueur de la **Loi de 1986 sur les services en français**.

En retenant le thème BONJOUR! l'Office a voulu mettre l'accent sur le ton invitant et positif qu'évoque cette interjection. L'Ombudsman Ontario adhère à cet esprit d'ouverture et de proactivité dans l'élaboration et la distribution de ses services en français.

Pour obtenir de plus amples renseignements sur les services offerts par l'Office des affaires francophones veuillez composer, sans frais, le 1-800-268-7507 ou écrire à l'adresse suivante:

Office des affaires francophones
Edifice Mowat, 4e étage
Queen's Park
Toronto (Ontario)
M7A 1C2



Ombudsman Appoints Ethnocultural Programmes Officer



Nazlin Daya — Ethnocultural Programmes Officer

The Temporary Ombudsman recently appointed Nazlin Daya as the Ethnocultural Programmes Officer to work with ethnocultural communities in the province. Ms. Daya's main objective will be to ensure that ethnocultural complainants have a clear understanding of and easy access to the Ombudsman's Office.

Ms. Daya brings many years of experience from Ontario Welcome House, the Ministries of Citizenship, Housing, Culture and Recreation. Her position will involve a significant amount of community outreach work including speeches, workshops and articles to promote understanding of the Office and encourage use of its services by members of ethnic and visible minority communities.

Ombudsman Staff Workshop in Edmonton

Edmonton was the site of the 4th Canadian Ombudsman Staff Workshop, held in late May and hosted by the Alberta Ombudsman's Office.

Following successful conferences held in Toronto, Vancouver and Fredericton, more than 40 Ombudsman Investigators and other staff members from across Canada participated in the three day action-packed agenda.

Investigating complaints is the heart of the Ombudsman's process and was the main focus of the Workshop organized by Ed Chetner and Daniel Johns from the Alberta Office. Discussion topics ranged from basic investigative techniques to important issues such as Workers' Compensation, Maintenance Enforcement, Alternate Dispute Resolution Techniques, Bureaucratic Barriers, Native Issues, Case Management, Administrative Tribunals and Stress Management.

The Ontario Office was represented by Tim Arkell, Alison Irons, Christine Jones, Janet Kershaw, Lourine Lucas, Kathy Penfold, Joy Van Kleef and Michael Zacks.

Michael Zacks, General Counsel to the Ontario Ombudsman, and editor of the Annotated Ombudsman Act, addressed the plenary session on this topic with fellow contributors Jacques Meunier from Quebec and Charles Ferris from New Brunswick.



Senior Appointment

Dale Bryant was recently appointed to the position of Assistant Director of Investigations responsible for Land Use, Resources and Revenue complaints. Previously, Dale was the Ombudsman's Special Assignments Investigator. A University of Western Ontario graduate, Dale joined the Office of the Ombudsman in 1986 after spending nine years with the Ministry of Revenue.

The Ombudsman Helped...

- a dairy farmer obtain financial assistance under a grant program when his application for a grant missed the closing date for eligibility because of delays in processing the mail. The complainant had placed his completed application in the mail eight days prior to the closing date. The Ministry of Agriculture and Food did not receive the application until five days after the closing date and, accordingly, rejected it. The Ombudsman's investigation revealed that during the period in question Canada Post did not pre-sort mail addressed to the Ministry but sent all mail addressed to the provincial government to the Ministry of Government Services for sorting. Government Services staff admitted there was a backlog of between two and a half and four days in sorting and delivering mail and that mail had not been processed for the four days following the closing date for the program, as those four days were holidays. In view of the possibility that the complainant's application may well have been received by the Ministry of Government Services before the closing date but not received on time by the Ministry of Agriculture and Food because of delays in processing the mail, the Ministry of Agriculture and Food accepted the application and paid the grant.

- a Native inmate incarcerated in a detention centre participate in a spiritual observance. He had requested a meeting with his Native spiritual leader to participate in a sweetgrass ceremony. His request was denied by institutional authorities on the grounds that they considered him to be a security risk. After obtaining a legal opinion, and reviewing Ministry standards and procedures, the Ombudsman found that the superintendent had not followed Ministry guidelines. The Ombudsman recommended that the superintendent follow the guidelines and also consult with Native Elders in matters of Native spiritual observances. The Ministry agreed to these recommendations.

- a disabled person confined to a wheelchair obtain suitable housing from his local housing authority. He contended that his two-storey public housing unit was inappropriate as he could no longer use the second floor where the bedroom and bathroom were located. Subsequent to the Ombudsman's involvement the housing authority approved plans to renovate the residence so that a ramp, a bedroom and a bathroom are added to the ground floor.

- an injured worker who wished to know if he was entitled to further benefits in addition to his 20% permanent disability pension. Since it appeared the worker might fit the criteria for the Older Worker Supplement the Ombudsman asked the Workers' Compensation Board to review his file. The Board approved his claim retroactively and issued a cheque for more than \$15,000. Monthly supplementary benefits will also be paid until he turns 65.

Jurisdiction Questioned

Two challenges to the Ombudsman's jurisdiction are now proceeding to the litigation stage.

One involves the Board of Radiological Technicians, which is the supervisory body for radiological technicians in the province. In the past fiscal year, the Ombudsman's Office received its first complaint against this Board. The Board has taken the position that the Ombudsman has no authority to investigate it because it is an independent body supervising a self-regulating profession. The Ombudsman believes that the Board is like any other governmental board (e.g. the Health Disciplines Board) over which the Ombudsman currently has jurisdiction. This matter will go to the Divisional Court in the near future.

The second challenge was raised by the Attorney General on behalf of several government agencies. It concerns the Ombudsman's right to investigate the actions of civil servants carrying out their duties under the authority of an Order-in-Council. The Ombudsman has been doing this, without complaint, since 1975. If the Ombudsman's jurisdiction were to be limited in this way, approximately 50 percent of the Ombudsman's complaints could not be investigated. Hopefully, this matter will be heard in the next few months by the Divisional Court.



Gord Peters (left), Regional Chief, Chiefs of Ontario, Eleanor Meslin, Temporary Ombudsman, and Allan Pelletier, Native Programmes Officer, meet at Ombudsman's Office as part of First Nations of Ontario initiative to promote understanding of their position on Aboriginal and Treaty Rights.

How to Contact the Ombudsman



HEAD OFFICE

125 Queen's Park
Toronto, Ontario M5S 2C7
Local Calls Only: (416) 586-3300
English Toll Free: 1-800-263-1830
Interurbain gratuit: 1-800-387-2620
Office Hours: Monday-Friday,
9:00 a.m. - 5:00 p.m.

REGIONAL LOCATIONS

For the locations listed below, collect calls are accepted during office hours.

**Kenora District Officer
Ombudsman Ontario**
223 First Street South
Kenora, P9N 1C2
(807) 468-3091

**Sudbury District Officer
Ombudsman Ontario**
21 Durham street
Sudbury, P3C 5E2
(705) 671-9880

**London Field Officer
Ombudsman Ontario**
402 Adelaide Street North
London, N6B 3H6
(519) 432-1117

**Thunder Bay District Officer
Ombudsman Ontario**
213 Red River Road
Thunder Bay, P7B 1A5
(807) 345-9235

**North Bay Field Officer
Ombudsman Ontario**
P.O. Box 508
North Bay, P1B 8J1
(705) 476-5800

**Timmins District Officer
Ombudsman Ontario**
30-32 Balsam Street South
Timmins, P4N 2C6
(705) 268-2161

**Ottawa District Officer
Ombudsman Ontario**
#308, 151 Slater Street
Ottawa, K1P 5H3
(613) 234-6421

**Windsor Field Officer
Ombudsman Ontario**
232 Erie Street West
Main Floor
Windsor, N9A 6B5
(519) 977-8006

**Sault Ste. Marie Field Officer
Ombudsman Ontario**
500 Bay Street
Sault Ste. Marie, P6A 1X5
(705) 759-2871

If you are an inmate or patient in a provincial institution, your letters to and from the Ombudsman will not be opened by the authorities.

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Margaret Walcott

Photos and comments are always welcome. Please write to:

Equal Times
Office of the Ombudsman
125 Queen's Park
Toronto, Ontario
M5S 2C7

The Ombudsman Helped... (Cont'd from page 7)

- a student who was denied financial assistance under the Ontario Student Assistance Program (OSAP) to complete his studies. When the complainant applied for OSAP to attend a Community College he was on a "restricted list" because he had defaulted on a previous OSAP loan. The complainant had made regular payments through a private collection agency but was advised that he had \$95.00 outstanding on his account. When he asked the agency for an explanation for the amount outstanding he received no reply. The agency closed the account and advised Central Collection Services (CCS) of the Ministry of Government Services that the debt was uncollectable and to close the account. CCS wrote off the account and put the student on the "restricted list". The student appealed the decision with no success. The Ombudsman found that the student had acted in good faith and CCS was unreasonable in closing the account without confirming with the complainant the exact amount owing and giving him an opportunity to pay the balance. In light of this the Student Awards Branch reconsidered its original decision, removed him from the restricted list and awarded him a loan of \$1,800.00 and a grant of \$3,140.00.



Eleanor Meslin, Temporary Ombudsman, and Jacqueline Yuen, (right) London Field Officer, at Open House for relocated London Office.



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